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State Convention of Colored Citizens

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PROCEEDINGS

OF THE

FIRST STATE CONVENTION

OF THE

COLORED CITIZENS

OF THE

STATE OF CALIFORNIA.

HELD AT SACRAMENTO NOV. 20TH 21ST, AND 22D, IN THE
COLORED METHODIST CHURCH.

SACRAMENTO:

DEMOCRATIC STATE JOURNAL PRINT:

1855.

PROCEEDINGS

OF THE

CONVENTION

In obedience to call, a Convention of the colored people of the State of California, by their delegates, assembled at Sacramento, in the colored Methodist Church, on Tuesday, Nov. 20th, for the purpose of taking into consideration the propriety of petitioning the Legislature of California, for a change in the law relating to the testimony of colored people, in the Courts of justice of this State. Also, to adopt plans for the general improvement of their condition throughout the State.

At 10 o'clock, A. M., the Convention was called to order by J. B. Sanderson, of Sacramento; Jacob Francis, of San Francisco, was called to the Chair, and Albert Vaniel, of Sierra, appointed Secretary.

J. H. Townsend, of San Francisco, moved that a Committee of *five*, be appointed to examine the credentials of delegates. The motion was carried, and the following gentlemen appointed;

Committee on Credentials.—E. P. Duplex, Yuba; M. W. Gibbs, San Francisco; J. B. Sanderson, Sacramento; Alfred White, Tuolumne; Albert Vaniel, Sierra.

The Committee on Credentials presented their Report, as follows:

Number of Counties represented, 10; number of Delegates present, 49.

From El Dorado County.—Edward R. Phelps, William H. Thomas, Joseph Smallwood, John Butler, William Quinn, Peter Blackstone, Charles H. McDougall, John Galley, William J. Hardin, Isaac Morton, 10.

From Sacramento County.—J. B. Sanderson, George W. Booth, John G. Wilson, Emory Waters, Thomas Dettler, David Brown, James Nicholas Clayton Miller, James R. Starkey, David Lewis, 10.

From Yuba County.—Edward P. Duplex, Isaac Triplett, 2.

From Sierra County.—Albert Vaniel, 1.

From Nevada County.—Daniel Mahoney, Dennis Carter, George Duvall, 3.

From San Joaquin County.—Jeremiah King, 1.

From San Francisco County.—H. M. Collins, J. H. Townsend, W. H. ewby, J. P. Dyer, D. W. Ruggles, F. G. Barbadoes, Henry F. Thompson, D. Gilliard, T. M. D. Ward, D. P. Stokes, Henry Cornish, Edward J.

Johnson, J. J. Moore, M. W. Gibbs, William H. Yates, Jacob Francis, Peter Anderson, William H. Harper, 18.

From Contra Costa County.—Fielding Smithea, 1.

From Santa Clara County.—W. D. Moses, 1.

From Tuolumne County.—Alfred J. White, John H. Morris, 2.

The report was accepted, and the Committee discharged.

H. M. Collins moved that a Committee of five be appointed to nominate a list of officers for the permanent organization of the Convention.

Mr. Sanderson proposed to amend, by appointing "one person from each county represented." He thought a more general and impartial expression of the feelings of members would thus be secured in the choice of officers, and hard-feeling and complaint be prevented hereafter.

J. G. Wilson said, that according to parliamentary rules, on every question of this kind, the motion must be submitted in writing. Jefferson's Manual is my authority in this. The good sense of gentlemen will enable them to see that we must have rules and abide by them, or we can accomplish nothing.

Mr. Townsend said he thought there were some persons of common sense in the assembly; that the business before us can be got through with, without quibbling about parliamentary rules, or any other rules, except such as should govern gentlemen in their intercourse with each other. In saying this, he wished to give no offense to any one. He hoped the business before us would not be delayed by stickling for little points of order.

The vote was then taken on the original motion to appoint a Committee of five. It was not sustained.

The question on amendment that Committee consist of one from each county was put, and carried.

The chair appointed the following gentlemen :

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| H. M. Collins, | Peter Blackstone, | D. Mahoney, |
| Alfred J. White, | E. P. Duplex, | Fielding Smithea, |
| W. D. Moses, | Jeremiah King, | James R. Starkey, |
| | Albert Vaniel. | |

The Committee retired to deliberate and prepare their report. During their absence the meeting was addressed by Mr. Newby, of San Francisco.

He earnestly prayed that members of the Convention would demean themselves one toward the other with due charity and a spirit of conciliation. 'Tis no evidence of ability or talent for one who happens to be informed upon some points of etiquette in debate, to jump up and display that knowledge at the expense of the feelings of his fellow-members, who may not be so well informed as himself. A better evidence of good sense and good breeding will be found in manifesting charity, and listening patiently to the remarks of each other.

Rev. Mr. Moore, of San Francisco—I approve of the remarks of Mr. Newby, and hope they may have the weight they deserve, and tend to keep down that spirit of contention and the disposition, to personal remarks so frequent in all bodies of this nature. If any one thinks himself aggrieved by the remarks of another, let him make allowances for the excitement of the time and occasion, and pass it by. The questions before us are of too much importance to be laid aside for any personal considerations of mine or yours, or any one of us. The subject upon which we are about to deliberate is one which interests all classes—interests both races; and I do sincerely trust that, keeping in view its great importance, we may put aside all lesser considerations—all party, all personal piques and preferences—

giving ourselves up earnestly as men to its accomplishment. Do not let us disgrace ourselves—do not let those who deny us the possession of intellect and soul, have so great a triumph as to see us meeting thus for a noble purpose, and failing, because we cannot govern our passions. Let us rather prove to them that we have all the nerve and energy to complete, as well as the brain to plan a work of moral regeneration. We are Americans—colored Yankees—and we are as proud of the soil of America as they who boast loudest of their love.

Mr. Yates—I regretted that personal feelings were exhibited this morning, in the discussion of a certain question. Brethren, we must be firm, resolute, and above all, have no disunion or jealousy amongst us if we would carry on this work. I will say to this Convention in the language of a celebrated divine, who, in a prayer before the early Congress of the States, in the stormy days of the revolution, prayed for unity among the people, and that “while they were many as the waves, they might be one as the sea.” We are to know but one purpose—act together for the attainment of one object.

While I acknowledge that in form, appearance and education the African cannot compete with the Caucasian race,* yet his sympathies are as warm, and his feelings as human. He can be grateful for kindness shown, and is as ready to forgive the injuries done him—he loves his country as dearly as they. I was raised and educated by the white man, and I thank the hand that reared me—I love the soil that nurtured me; so do we all, and if we seek for patriotism and love of country, where should it be found stronger or warmer than in our own bosoms?

Mr. Wilson, of Sacramento—Gentlemen must not feel insulted if I or any other of our fellow-members happen to express a different opinion from their own in a manner which to their cold unimpassioned soul may seem unduly earnest and excited. Men are differently constituted, and while some seem scarcely moved by the mightiest subjects, others will feel an intensity of excitement upon subjects the most trivial. The same God that made a diversity of colors, hues, kinds and conditions, has seen proper to make minds of different orders and diverse temperaments.

Mr. Ward made some sensible remarks concerning the relative conditions of the white and colored races, and ended by saying: “The great Sebastopol against which we are struggling is local prejudice. Let us bring up the battalions of reason, truth, and justice, and show the world the injustice of its prejudice, and the falsehood of its oft repeated taunt, that we are but a connecting link between the monkey and the man. Let us prove to the world that we have capacities and ambitions for the enjoyment of a much more elevated sphere than that in which we have so long grovelled.

Mr. Sanderson said: I feel a deep interest in the work in which we are about to engage. When first it was announced that this Convention was to be held, I rejoiced. We are scattered over the State in small numbers; the laws scarcely recognizing us; public sentiment is prejudiced against us; we are misunderstood, and misrepresented; it was needful that we should meet, communicate, and confer with each other upon some plan of representing our interests before the people of California; we owe our friends of San Francisco thanks for taking the initiatory in this movement; it is the most important step on this side of the Continent; we have taken in the course of improvement on which we have entered perhaps no subject is attracting the attention of the public more, than the efforts which the colored people

*The above sentence was corrected in a subsequent speech of A. A. S.

are making to elevate themselves ; the public eye is upon us ; for our success in this, as in all worthy efforts, we have the best wishes of good men. I believe there are many in this State, this community, who are awaiting the issue of our deliberations with anxiety. There are those too, who think we cannot conduct this Convention with intelligence and ability ; they expect scenes of disagreement and confusion ; I trust we shall disappoint them ; let us deliberate and act, each emulous to perform his duty ; and when the report of our doings goes out before the people, they shall be compelled to say *well done*.

Mr. Stokes, of San Francisco, was then called, and said :

The several distinguished speakers who have preceded me, have said all I could have said, and much abler than my humble ability could have said it. After them I feel like another Alexander without one world to conquer.

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The very fact of our being here to-day under the sanction of public opinion, and the protection of public law, to express ourselves freely, and deliberate upon measures for our own good, is to me an evidence that a brighter destiny is before us ; 'tis but a few years since all this State was the abode of another race, who owned the soil and roamed at will, with none to molest or make them afraid. The white man came, and we came with him ; and by the blessing of God, we will stay with him side by side ; wherever he goes we will go ; and should another Sutter discover another El Dorado, be it where it may--north of the Caribbean or south of it--no sooner shall the white man's foot be firmly planted there, than looking over his shoulder he will see the black man, like his shadow, by his side.

The Committee on nominating a list of officers for the permanent organization of the Convention, reported the following through the Chairman, H. M. Collins :

For President.--William H. Yates, of San Francisco.

For Vice Presidents.--Joseph Smallwood, of El Dorado ; Dennis Carter, of Nevada ; Albert Vaniel, of Sierra ; Fielding Smithen, of Contra Costa.

Secretaries.--J. B. Sanderson, Sacramento ; John H. Morris, Taolunne ; Frederic G. Barbadoes, San Francisco.

For Chaplain.--Rev. John J. Moore, of San Francisco.

Messrs J. D. Gilliard and M. W. Gibbs, were appointed a Committee to wait upon Mr. Yates, inform him of his election, and conduct him to the Chair.

Upon assuming the Chair, Mr. Yates thanked the delegates for the honor conferred on him, and said he would endeavor to discharge the duties of his office, faithfully and impartially. He trusted the proceedings throughout would be such as to reflect honor upon themselves and the country which gave them birth. " If," said he, " there are feelings of liberty within the breasts of those present, who but the Caucasian taught them to us ? The soil on which first we drew the breath of life--our country--we love her, and thought wronged by her, we delight to call her mother."

On motion of H. M. Collins, a Committee of five was appointed, to prepare rules for the government of this Convention.

The following gentlemen were appointed by the Chair :

J. H. Townsend, Dennis Carter, Albert Vaniel, Fielding Smithen, and Emory Waters.

On motion of J. H. Townsend, it was ordered that a Business Committee,

to consist of *one* from each county, be appointed to report upon the order of business of the Convention, to be appointed by the Chair.

Committee.—William H. Newby, Chairman; John G. Wilson, Edward Phelps, Isaac Triplett, George Duvall, Alfred White, Fielding Smithea, Albert Vanicl, W. D. Moses, Jeremiah King.

On motion of H. M. Collins, a Committee of *three* was appointed on Finance, consisting of J. J. Moore, D. W. Ruggles, and Emory Waters.

By authority of vote, the Chair appointed John Butler and William Queen, to act as door-keepers to the Convention.

Mr. Townsend gave notice that he should offer a resolution for the appointment of a Committee to ascertain, as far as practicable, the actual number, amount of capital, taxes, occupation, and character of the colored people of the State of California.

At half past two o'clock, P. M., the Convention adjourned until four o'clock, P. M.

AFTERNOON SESSION—FIRST DAY.

Convention met at four o'clock, Albert Vanicl, Vice President, in the chair.

At the suggestion of the Rev. B. P. Stokes, the following article, from the *Grass Valley Telegraph*, was read by the Secretary, amid considerable applause:

"The following article from the *Grass Valley Telegraph*, presents a sensible, well written view of the subjects upon which it treats. We have had frequent occasion to notice the spirit of candor which pervades the columns of the *Telegraph*, and the general tone of liberality with which it is conducted.—*Ed. San Francisco Evening Journal.*

"We perceive that the colored people of this State are to hold a Convention at Sacramento, on Tuesday, the 20th of the present month. The object of the Convention is to bring together a full delegation of people of color, from all parts of the State, in order that they may compare notes, communicate information as to the general condition of things among themselves, and if possible fix upon some common plan for the intellectual, moral and social improvement of their condition as a class in this State.

"With the exception of a very small portion of the people of this State, composed in part of what are commonly known as 'dough-faces,' i. e., Northern men who seek to curry favor with Southerners, by advocating sentiments which are distasteful to intelligent Southern people themselves, and a very few ultra Southern men, whose opinions and influence among their own brethren are of quite as little importance as the ultra abolitionists of the North are among the Northern men; we say, with the exception of a very few people of such a description, the citizens of this State, both from the South and the North, are not only willing but desirous to see the condition of the colored people in our midst improved, by means of proper educational and social privileges, to the end that they may become intelligent, law-abiding and useful members of the community. Those timid gen-

tle men, and those timid editors, who are fearful that any word or movement on the part of either white or black to bring about such a result, will spread discord and dissention in the State, forget that in so doing we are but following in the footsteps of many even of the slave States themselves. Kentucky has made public provision for the education of all free blacks within her border, and ere another year elapses, North Carolina and perhaps other Southern States, will make even more liberal provision for the moral and intellectual improvement of the colored people in their midst. And shall *free* California be behind Kentucky and other *slave* States in such a matter, not only of philanthropy but of right? Out upon such waddle! Sensible, well-meaning citizens will never be guilty of it. While we tax the blacks, and thus make them contribute to the education of our own white children, let us not deny them access to the fountain of knowledge, and thereby compel them to grow up in ignorance, degradation and misery. So far as the proposed Convention shall have for its object the betterance of the social and intellectual condition of the colored people, we bid them 'God speed.'

D. P. Stokes offered a Resolution, proposing to instruct the Secretary to tender the thanks of this Convention, to the editor of the Grass Valley Telegraph, for the unprejudiced manner in which he has represented our objects and motives, in holding this Convention.

Mr. Newby moved to amend, by including the "San Francisco Evening Journal." The amendment was accepted, and after remarks by Messrs. Ward, Stokes, Newby, and Gilliard, the resolution was unanimously adopted, and the Secretary instructed to carry out the intention of the Resolution.

The Committee on Rules for the Government of the Convention, then reported the following

RULES.

1. Each session of the Convention shall be opened by prayer.
2. This Convention shall hold two sessions each day until it adjourns.
3. Morning sessions shall commence at 10 o'clock, A. M., and adjourn at 2 o'clock, P. M.
Afternoon sessions shall commence at 4 o'clock, P. M., and adjourn at 7 o'clock, P. M.
4. The President shall decide all points of order, subject to an appeal by any member.
5. The President shall appoint all Committees, unless otherwise ordered by the Convention.
6. When any member desires to speak, he shall rise in his place, and address the Chair.
7. When two or more members arise at the same time, the Chair shall decide who is entitled to the floor.
8. Each person shall be allowed to speak fifteen minutes at one time; and no person shall be allowed to speak more than twice, upon the same subject, without permission from the House.
9. All personalities shall be avoided in debate.
10. No subject shall be open for discussion, until a motion has been made and seconded.
11. All Resolutions shall be reduced to writing, to be registered.

12. The order of business shall be as follows :

1st. Prayer.

2d. Reading minutes of last meeting.

3d. Report of Standing Committees.

4th. Report of Special Committees.

5th. Unfinished business of last session.

6th. Miscellaneous business.

7th. Adjournment.

13. Questions of order, not contained in these Rules, shall be decided according to Cushing's Manual.

14. These Rules shall not be altered, amended or suspended, unless by a vote of two thirds of the members present.

Committee on Rules.—J. H. Townsend, Dennis Carter, Fielding Smithea, Albert Vaniel, Emory Waters.

These Rules were adopted.

Mr. Newby, Chairman of the Business Committee, read a Report, which was accepted and laid upon the table.

The Convention then adjourned until Wednesday.

SECOND DAY'S PROCEEDINGS OF THE CONVENTION.

WEDNESDAY MORNING, NOV. 21st.

The Convention was called to order at 10 o'clock, President Yates in the chair.

Business of the meeting opened by the reading of the 104th Psalm, and prayer by the chaplain; Rev. J. J. Moore. Minutes of the last meeting read and approved.

On motion of Mr. Morris, the rules were read.

The Report of the Business Committee was called up by Mr. Newby, and read.

REPORT.

Whereas, We, the colored people of the State of California, believing that the law of this State, relating to the testimony of colored people in the courts of justice, recorded in 394th section of 3d Chapter of an Act, entitled :

"An Act for regulating proceedings in the Court practice of the Courts of this State," as follows:

"*And persons having one-half or more of negro blood, shall not be witnesses in an action or proceeding; to which a white person is a party*"—to be unjust in it itself, and oppressive to every class in the community; that this law was intended to protect white persons, from a class whose intellectual and social condition was supposed to be so low as to justify the depriving them of their testimony; and

Whereas, we believe that careful inquiries into our social, moral, religious, intellectual and financial condition, will demonstrate that, as a class, (allowing for the disabilities under which we labor,) we compare favorably with any class in the community ; and

Whereas, We believe that petitions to the Legislature, to convene in January, praying for the abrogation of this law, will meet with a favorable response ; believing, as we do, it cannot be sustained, on the ground of sound policy or expediency ; therefore,

Resolved, That we will memorialize the Legislature, at its approaching session, for a repeal of the 3d and 4th paragraphs of Section 394, of an Act passed April 29th, 1851, entitled, "An Act to regulate proceedings in civil cases in the courts of justice of this State." And also for the repeal of the fourteenth Section of "An Act concerning crimes and Punishments."

No. 3. *Resolved*, That a Committee be appointed with full powers to adopt such measures as may be deemed expedient to accomplish the object in view.

No. 4. *Resolved*, That we recommend the organization of a Grand Association, with auxiliaries in every county, for the purpose of collecting statistical and other evidences of our advancement and prosperity ; also to encourage education, and a correct and proper deportment in our relations toward our white fellow citizens, and to each other.

No. 5. *Resolved*, That we regret and reprobate the apathy and timidity of a portion of our people, in refusing to take part in any public demonstration having for its object the removal of political and other disabilities, by judicious and conservative action.

No. 6. *Resolved*, That we recommend the creation of a contingent fund of \$10,000, to be controlled by a committee having discretionary powers, to enable us to carry forward any measure that has for its object the amelioration of our condition.

Mr. Townsend presented a series of resolutions, which he read, and then moved to substitute them for the report of the Business Committee.

Mr. Newby said : "The motion of Mr. Townsend is unparalleled in the history of Conventions. Such presumption I have never witnessed. His proposition is discourteous in the extreme, both to the Committee and the Convention. The Committee, under your instructions, consider they have done the best they could in the time allotted to them ; they have presented their report. Have some respect to the feelings of your Committee ; dispose of the Report properly, and discharge the Committee before any such motion as that proposed is entertained."

Mr. Townsend withdrew his Resolutions, by leave of the Convention

A motion to adopt the Report of the Business Committee, as a whole, being opposed by Mr. Townsend and Mr. Morris, and others, was lost.

On motion of Mr. E. A. Phelps, the preamble to the Report was taken up and discussed.

Mr. Townsend was opposed to the preamble, on the ground that it was crouching in its present form. All he wanted was to present a manly, courteous and dignified appeal to the Legislature, to grant them what is simply just in their opinion. He believed by so doing they could command the respect of their white brethren.

Mr. Lewis endorsed the views of the last speaker.

Mr. Newby said it was much easier generally to find fault than commend

—and the objections expressed by Mr. Townsend were to him about as clear as mud. All the preamble expressed was true, and simple to understand. He had not in drawing it up drawn largely upon Roman or Grecian history, to illustrate it by quotations that are to be found in every school book, but it merely stated what was known to every man in the State. A case in point occurred last week in the United States Court in San Francisco. A man was tried for murder on the high sea, the only witness in the case was a negro, and the Court decided that his evidence could not be received, and the man was liberated, thus inflicting a great wrong upon white men, by permitting a criminal to go at large because he killed a man in presence of a negro instead of a white man. This, he considered, was more of a wrong to the whites than to them. The gentleman is opposed to cringing. The language of the preamble is plain and honest, there is no cringing in it.

Mr. Townsend said, it is too late in the day to appeal to the prejudices of the people. The gentleman finds fault with the ancients, their learning and their graces of style in composition; or with us, because we would avail ourselves of them. I wish to rebuke this spirit. What I am anxious for is, that whatsoever paper goes from this Convention, while it tells the people of California what we desire of them—whether in Grecian or Roman quotations—shall challenge criticisms in respect to style and matter. Our business Committee should not be so sensitive about their report; their action must be pronounced upon; if we disapprove of it, we shall reject, or offer something better; if we approve, then only shall we accept. I know the Committee have worked faithfully, for which they deserve thanks; let them not, therefore, suppose all they do must be adopted.

Mr. Wilson urged concession and harmony in all their deliberations, and thought the preamble of the report was all that could be desired.

Mr. Smithea, though one of the Committee, was opposed to the adoption of the report. He was in favor of presenting their deliberations in as dignified or elegant language as possible.

Mr. M. W. Gibbs was in favor of striking out all the words of the preamble, after the words "and whereas, we believe that this section was intended to protect white persons from a class," &c., and made a motion to that effect. He said this language was undignified and untrue; that the original cause of the objection to the testimony of colored persons, was prejudice against them, and not ignorance of their general condition. The motion of Mr. Gibbs was lost.

Mr. Newby said, we are an oppressed people, the subjects of a bitter prejudice, which we are now seeking to overcome. In appealing to our oppressors, we desire to do so in a manner that will have weight.

The Legislature which passed the act depriving us of testimony, doubtless acted—or a portion of them—from an honest principle. I believe that they acted from what they believed to be a sense of duty; but they could not foresee the operations of the law in a State like California. Let us be careful, and not, by our impolicy, thwart ourselves in the action we are taking.

On motion of Mr. Gilliard, the preamble was laid upon the table.

Mr. Galliard moved the resolutions and report of the Committee be referred to a special Committee of five.

Mr. Stokes thought a Committee of five should not be entrusted with such an important question, as it would give them the power to over-ride the whole Convention.

Said he, look to your action. Yesterday you appointed your Business

Committee, from all the counties, in order that the voices of all should be fairly represented. To-day, you would take the business which they have deliberately arranged, and give it to five persons. Are *five* likely to do better than *ten*? The gentleman has done that which is well calculated to produce confusion.

Mr. Galliard was in favor of the Committee of five, and the re-commitment, nevertheless. He said, I am no *Æolus*, raising commotions in the Convention; that distinction belongs to the gentleman who has just spoken. My object in proposing the Committee of *five* is to facilitate action. Let the Committee be selected from the Business Committee; and if you desire it, let it be composed wholly of members from the country, so the business is properly accomplished.

Mr. Galliard's motion was lost.

It was voted, that the vote to lay the report of the Business Committee on the table be reconsidered.

It was then voted that the report of the Business Committee be returned back into their hands, with instructions to report again at the afternoon session.

On motion of Mr. Gibbs, it was voted to refer the resolutions of Mr. Townsend to the Business Committee, to be reported on at the afternoon session.

On motion of Mr. H. M. Collins, it was voted :

That any person having business to lay before this Convention, shall give the same into the hands of the Business Committee, to be reported by them.

President Yates vacated the Chair, which was assumed by Vice President, Dennis Carter.

The Business Committee having withdrawn, the Convention was addressed by Rev. Darius P. Stokes, as follows :

Mr. Stokes—While as a people we are striving for our own advancement, and endeavoring to obtain a recognition in society as men, let us not in the selfishness of our own plans, lose sight of other things, equally our duty. Look abroad upon the varied face of this favored country, and do we not see in the mountain top, and in the valley, evils existing among our kind? sin stalking in the noon-day, and no hand put forth to stop its progress? Let us first correct ourselves, and become worthy of respect, then the world will not withhold its reward. One thing I have observed amongst our race, that while all are consumers, very few are producers. We see through this State very few colored farmers, or mechanics, or artisans; yet it can be proved we may become as proficient in these branches as other people. Still, there is no awakening to the importance of proving ourselves capable of conducting the affairs of business with skill and advantage. In this State, there are over three and a half millions of property owned by the colored population; from this several thousand dollars of tax is collected every year—we own mining claims valued at \$30,000 per share—we have every advantage for unfolding whatever talent we may possess, and yet we are doing nothing. In other countries there are mechanics and artisans whose proficiency has astonished the world. Here we have no energy. Why not have our stores, our stock exchanges, our banking houses, as others? If we have capacities let them not sleep forever. This Convention is the initiatory step to a great end. The goal is before us—let us press on. If like the Athenians, we sit over our feasts in fancied security while Philip thunders at the city gates, we shall be defeated in all our desires. All we have gained will be lost. We shall soon

possess no identity as a people—no place or position. Why should we in California be behind our brethren of other States? In Massachusetts—that cradle of liberty—our cause has awakened much interest. The portals of society, so long closed, are being thrown open to us—there are colored ministers and doctors, and lawyers—educated men. Yes, and men for us to be proud of, and thank God for! Is all this nothing? Is ascendancy in the great scale of moral being worth nothing? Are the means of intellectual advancement nothing to us, that we lie thus supinely on our backs, with folded hands, without one effort to elevate our moral, social, and political condition? Let us begin by improving our position as laborers—let us plan and execute for ourselves. In western Pennsylvania and Ohio some of the most extensive farmers are colored men. In Baltimore, my own city, I have seen wealthy men among our own people—men who bought and sold by thousands! We must exert ourselves to accomplish something here. There is plenty of land for us to cultivate, but we must not delay, for the next year there will come to these Pacific shores thousands of men from the old world, and every vacant spot will be taken.

Mr. David Lewis said: One of the most important things for our present consideration is, to obtain the right to be heard upon oath in the courts of justice—this is the one thing needful. As it is, the law is to us a dead letter, a broken staff to lean upon. The oath that should protect life, liberty, and property, all that should throw the shield of law around ourselves and families, is denied us. Now we have no protection, and stand as nothing. "The oath" would make people careful how they act before us. We should then have a voice. As it is, we are scarcely recognized as human beings.

Mr. Ruggles. 'Tis an injury to the white man as well as to ourselves, to deny us the right of being heard under oath. Justice is often checked in her course, and the guilty are suffered to escape because the only witnesses to their guilt are those upon whom the law has cast the stigma of being unworthy to be heard.

Mr. Newby gave notice that the Business Committee were ready to report, having united both series of resolutions offered at the opening of this meeting. He hoped this course would put an end to all misunderstanding, and secure the approval of all.

Mr. Stokes was in favor of having the report presented immediately, and he hoped it would be adopted without further debate. He offered a motion to that effect.

This was objected to by several. Some discussion followed. Mr. Stokes withdrew his motion.

The Convention, by vote, adjourned to four o'clock, p. m., after the benediction by the Chaplain.

AFTERNOON SESSION.

WEDNESDAY, November 21, 1855.

Convention called to order at four o'clock, President Yates in the chair.

The Business Committee, by their chairman, presented their report, as follows:

Whereas, We, the colored people of the State of California, believing that the laws of this State, relating to the testimony of colored people in the courts of justice, recorded in 394th section of chapter 3d of an act entitled "an act for regulating proceedings in the court practice of the courts of this State," as follows: "*And persons having one-half or more of negro blood, shall not be witnesses in an action or proceeding to which a white person is a party*"—to be unjust in itself, and oppressive to every class in the community; that this law was intended to protect white persons from a class whose intellectual and social condition was supposed to be so low as to justify the depriving them of their testimony.

And, whereas, We believe that careful inquiries into our social, moral, religious, intellectual, and financial condition, will demonstrate that, as a class, allowing for the disabilities under which we labor, we compare favorably with any class in the community.

And, whereas, We believe that petitions to the Legislature, to convene in January, praying for the abrogation of this law will meet with a favorable response; believing, as we do, that it cannot be sustained on the ground of sound policy or expediency:

1. *Resolved*, That the laws of evidence in judicial investigations should be accommodated to and identical with the laws of the human mind; and, therefore, every fact and circumstance having a tendency to throw light upon the subject under investigation, should be heard and judged of according to their relative weight and value, and with reference to all the circumstances of credit or discredit connected with them.

2. *Resolved*, That past experience has abundantly shown that all attempts to establish artificial standards of credibility, depending upon such tests as race, color, creed or country, are as unwise as they are unjust; that they serve only on the one side to obstruct the investigation of truth by the erection of useless barriers, and on the other to defraud the excluded classes, while at the same time they subject them in their lives, in their persons, and in their property, to outrage and injustice with impunity, from the more favored classes.

3. *Resolved*, That the true and only tests of credibility in a witness, are his intelligence, integrity, and his disinterestedness; and that, as a race, we are willing to be subject to these tests, to be applied in each case as it occurs, and that we ought not to be subject to any other.

4. *Resolved*, That to a class of people, the right of testimony is as valuable as the right of self-defense; a right which no generous foe will deny, even to an enemy.

5. *Resolved*, That all classes, without distinction, are interested in the removal of all barriers as witnesses, imposed upon the African race in California, as unwise, unnecessary for the protection of the white race, and unjust towards the proscribed classes, "as taking that which naught enriches it, but leaves them poor indeed;" that these classes, in the consciousness of the injustice done them in this respect, say with the old Grecian, "Strike, but hear me."

6. *Resolved*, That we memorialize the Legislature at its approaching session, to repeal the third and fourth paragraphs of section three hundred and ninety four of an Act passed April 20th, 1851, entitled, "An Act to regulate proceeding in civil cases, in the Courts of Justice of this State," and also for the repeal of section fourteen of an Act entitled "An Act concerning Crimes and Punishments," passed April 6th 1850.

7. *Resolved*, That a State Executive Committee be appointed by the Con-

vention, with full powers to adopt such measures as may be deemed expedient to accomplish the object in view.

No. 8. *Resolved*, That we recommend the organization of a State Association, with auxiliaries in every county, for the purpose of collecting statistical and other evidences of our advancement and prosperity; also to encourage education, and a correct and proper deportment in our relations towards our white fellow citizens and to each other.

No. 9. *Resolved*, That we regret and reprobate the apathy and timidity of a portion of our people, in refusing to take part in any public demonstration, having for its object the removal of political and other disabilities, by judicious and conservative action.

Resolved, That we recommend the creation of a contingent fund of twenty thousand dollars, to be controlled by a Committee having discretionary powers, to enable us to carry forward any measure that has for its object the amelioration of our condition.

On motion of Mr. Anderson, the report of the Committee was received and adopted by acclamation, amidst much applause.

H. M. Collins offered the following resolution, which was also adopted without discussion:

Resolved, That a Committee of five be appointed to arrange as they may deem proper, and procure the printing of the proceedings of this Convention, in pamphlet form:

| | | |
|------------------|---------------|-------------------------|
| J. B. Sanderson, | W. H. Newby, | } Publishing Committee. |
| H. M. Collins, | J. G. Wilson, | |
| D. P. Stokes, | | |

Mr. Anderson commenced reading a series of resolutions referring to the action of the National Convention of colored people, assembled in Philadelphia recently, but he was ruled out of order by the President, who declared that while he presided over the deliberations of the Convention, no extraneous subjects should be brought forward to disturb the harmony of its proceedings. They had assembled for one object only, and the Convention should not swerve from it to debate the expediency of the actions of men in Philadelphia, Boston or Charleston. The Chair was sustained by acclamation.

On motion of T. M. D. Ward, it was voted "that each Delegate shall receive five copies of the printed proceedings of this Convention, when published."

This Resolution, offered by Mr. Townsend, was adopted:

No. 13. *Resolved*, That this Convention appoint a special Committee of seven persons, to collect statistics relating to the colored people in the State of California; their numbers, capital, &c., and to report upon the same:

| | | |
|---------------------|----------------|-------------------------------|
| J. H. Townsend, | E. P. Duplex, | } Committee on Statistics. |
| Chas. H. McDougall, | H. M. Collins, | |
| J. H. Morris, | A. W. Gibbs, | |
| J. Q. Starkey. | | |

The following resolutions were adopted :

No. 13. *Resolved*, That the thanks of this Convention be extended to the Editors of the "Sacramento Daily State Tribune," "Democratic State Journal," and "Sacramento Daily Union." Also to the reporters connected

therewith, for the liberal and courteous manner in which they have reported and published the proceedings of this Convention.

No. 14. *Resolved*, That a Committee of five be appointed to prepare an Address to the colored people of this State, calling their attention to the importance of the mining and agricultural interests, as a means of improving and elevating their condition.

No. 13 was offered by W. H. Newby.

No. 14 was offered by Geo. W. Booth.

Under resolution No. 14, Geo. W. Booth, A. J. White, Geo. A. Duvall, A. Vaniel, D. Mahoney, were appointed to prepare an Address.

On motion of T. M. D. Ward, a vote was passed to assess each member of the Convention the sum of \$2 50, to defray the expenses of the Convention.

Mr. J. D. Gilliard offered resolution No. 15.

Resolved, That this Convention appoints persons in each County, to circulate petitions, and procure signatures to the same, for memorializing the Legislature for the repeal of the law which excludes the testimony of colored people in courts of justice, in an action or proceeding to which a white person is a party.

The following gentlemen were appointed to circulate petitions for signatures in the Counties in which they reside :

J. H. Townsend, San Francisco ; J. G. Wilson, Sacramento ; John Galley, El Dorado ; Fielding Smith, Alameda ; E. P. Duplex, Yuba ; W. D. Moses, Santa Clara ; John H. Morris, Tuolumne ; Albert Vaniel, Sierra ; Dennis Carter, Nevada ; Jeremiah King, San Joaquin ; Shadrack Howard, Amador ; Benjamin Young, Shasta ; Edward Hatton, Napa ; William Johnson, Plumas ; J. J. Underwood, Placer ; George W. Miller, Sonoma ; Thomas Rix, Los Angeles ; Mr. Brooks, Calaveras ; Joseph Pindall, Trinity ; Newport F. Henry, Mariposa ; A. W. Hernandez, Butte ; Samuel Kunce, Siskiyou ; Isaac Johnson, Solano.

No. 16. *Resolved*, That a Committee of two be appointed to prepare an Address to the colored people of this State, urging upon them the importance of sending their children to school whenever it is practicable.

It was adopted, and J. J. Moore and T. M. D. Ward were appointed to prepare the Address.

W. H. Newby, chairman of the Business Committee, read a draft of the form of the Petition to be presented to the Legislature, in accordance with Resolution No. 6, as follows :

To the Honorable the Senate, and House of Representatives of the State of California :

We, the undersigned petitioners, most humbly pray your honorable bodies to repeal the *third* and *fourth* paragraphs of Section 394, of an Act passed April 29th, 1851, entitled, "An Act to regulate proceedings in civil cases in the courts of justice in this State."

Also to repeal Section fourteenth of an Act, entitled, "An Act concerning Crimes and Punishments," passed April 16th, 1850.

The form was approved and adopted.

Resolution No. 17, presented by J. H. Townsend, was passed.

No. 17. *Resolved*, That we appoint a State Executive Committee, of ten persons, who shall reside at San Francisco, Sacramento and Marysville. They shall act in conjunction with the State Central Committee, and shall be

the medium of communication between this Convention and the Legislature.

Messrs. J. H. Townsend, H. M. Collins, M. W. Gibbs, Peter Anderson, San Francisco. J. B. Sanderson, Emory Waters, Thomas Detter, George W. Booth, Sacramento. E. P. Duplex, Geo. Simms, Marysville—State Executive Committee appointed under resolution No. 17.

Convention adjourned until Thursday, at ten o'clock, A. M., with benediction by the chaplain.

THIRD DAY'S PROCEEDINGS.

THURSDAY MORNING, NOV. 22d.

Meeting called to order at 10½ o'clock. President Yates in the Chair. The Chaplain read the 85th Psalm, and offered prayer.

Minutes of yesterday's proceedings read and approved.

President Yates made a few remarks, prefatory to the business of the day. "I desire," said he, "that members will not enter into lengthy and needless discussions upon every question regarding which there may be a difference of opinion, but confine themselves strictly to the legitimate business of the meeting, so that the Convention may be enabled to close its proceedings to-day, and do so in such a manner as to reflect credit upon ourselves and the cause we advocate."

Mr. Newby, Chairman of the Business Committee, offered Resolution

No. 18. *Resolved*, That the Chairman of the Finance Committee, be authorized to procure a suitable testimonial, to present to E. K. Knight, Esq. reporter of the "Sacramento Daily Tribune," for his full and impartial reports of the proceedings of this Convention.

Mr. Newby said: "In holding this Convention in Sacramento, we expected to meet opposition, because we are not understood even by many well-informed persons. Evil reports are so often circulated about us; these stir up and bring out the prejudice which exists against us, meeting us whichever way we turn. In our deliberations we seek publicity; we court investigation; the object we are laboring for, is worthy; the means we take to secure it, discussion, peaceful agitation, the presentation of facts and arguments, are such as must commend themselves to intelligent and right-thinking men. The press is the great instructor and mover of the public mind. Had the press of this city been unfriendly or prejudiced against us, it might have stirred an opposition, thrown obstacles in our way that had prevented the holding of this Convention; but the Sacramento city press has treated us with respect and fairness, and we are thankful to all those gentlemen who control, and are connected with it. We have been pleased to see gentlemen reporting our doings; all we desired was that they would "naught extenuate or ought set down in malice;" the reports of Mr. Knight have been fair, liberal, and unusually elaborate. In proposing this testimonial, we are as far from intimating any re-

ward of his services, as he would be from receiving it in that light as of that motive. We beg its acceptance, as a slight testimonial of our appreciation of his gentlemanly and faithful report of us. "*Fair play is a jewel!*"

The Resolution was adopted.

J: H. Townsend, chairman of Committee appointed under resolution No. 13, reported the following statistics of the colored population and their wealth:

Your Committee beg leave to state that the amounts set against the several counties is invested in various branches of business, real estate, mining, etc., but agriculture is the most prominent. They also beg leave to state that the colored residents of California are in proportion to their numbers, the least recipients of public charity of any class in the State; and this too, notwithstanding they are subject to great disabilities, and are entirely destitute of any protection in their persons or property from the laws of the land, which they regard as clear proof of their capacity to take care of their families for the present, and to provide for their future.

| | POPULATION. | WEALTH. |
|-------------------------|-------------|-------------|
| Alameda - - - - - | 50 | \$50,000 |
| Armadore - - - - - | 100 | 25,000 |
| El Dorado - - - - - | 1,000 | 350,000 |
| Nevada - - - - - | 400 | 250,000 |
| Calaveras - - - - - | 250 | 100,000 |
| Los Angeles - - - - - | 60 | 70,000 |
| Tuolumne - - - - - | 200 | 73,000 |
| Shasta - - - - - | 100 | 150,000 |
| Santa Clara - - - - - | 50 | 40,000 |
| Sacramento - - - - - | 500 | 250,000 |
| San Francisco - - - - - | 1,500 | 750,000 |
| Monterey - - - - - | 60 | 45,000 |
| Yuba - - - - - | 500 | 200,000 |
| Trinity - - - - - | 55 | 20,000 |
| San Joaquin - - - - - | 400 | 40,000 |
| Total - - - - - | 4,815 | \$2,413,000 |

William J. Hardin said:

"I beg leave to call the attention of the House to the fact that the amount, ——— millions, set down by the Committee as the probable wealth of the colored population of this State, in addition to immense sums which have been, from time to time, paid to their owners by the colored men who have come here as slaves, and who, by a course of honest industry, have paid for and obtained their freedom. I adduce this as another evidence of the capability and enterprise of our race."

Rev. J. Moore: There is an expression in the report which I think should be corrected. It is this: "That we are entirely destitute of any protection in person and property by the laws of the land." This is incorrect, in some degree. And while we are stating our grievances, let us endeavor to do so in a spirit of thankfulness for all the favors shown us, and acknowledge every obligation we are under; but, above all, let us do so with truth. I, therefore, move an amendment to the report, so that it may read thus:—

"That we do not receive full protection of the law, in common with the white man."

Mr. Townsend: I deny that the pitiful support which the law offers can be called a *protection*. Are we heard before the bar of justice? Are we recognized as having souls, and comprehending the nature and responsibility of an oath? 'Tis but a few months since a negro was stabbed in the streets of San Francisco, in the presence of twenty witnesses. The murderer was a Spanish man, he was arrested, and discharged on bail. On the day of his trial his counsel ridiculed the idea of his being punished, and said he had "*only killed a nigger*" who attempted to strike him down." What was the result? The murderer was cleared, and in a few hours he was walking the streets openly. There is indeed a semblance of protection, but it is not real."

Mr. Wilson asked for another reading of the report; it was again read. Further debate ensued.

Mr. Anderson moved to re-commit the Report to the Committee, with instructions to amend, as proposed by Mr. Moore.

This motion was not sustained.

Mr. Stokes.—I have listened to the Report as read, and believe it to be true in every particular. If I have a claim of \$100 against a white man, and bring an action for its recovery at law, unless I have a white man who possesses the moral courage to come forward and endure the odium of a mis-constructed society, and testify in my behalf, I lose my suit, and am scarcely exempt from the indignity of being kicked out of Court.

If a man cannot swear to a plain, honest, simple account, where is the protection of law? There is none!—'tis but a shadow and a name.

Mr. Carter said he understood the Report under discussion to be merely a recapitulation of the preamble and resolves, and entirely unnecessary, and hoped it would not be adopted.

Mr. McDougall moved that the Report be referred back to the Committee, with instructions to report as soon as possible.

Mr. McDougall's motion was adopted.

Rev. T. M. D. Ward offered the following preamble and resolution.

Whereas, We regard the sin of intemperance a crying evil, a public calamity, a check to the religious, social, mental and financial advancement of the colored people of this State; therefore

Resolved, That we recommend to our people the concentration of every moral and intellectual effort for the complete removal of this crying evil from among us.

The resolution was sustained by the offerer in a forcible speech. He said, in offering it, he did not expect the support of gentlemen who were in the habit of washing down the cotton in their throats every morning with a cocktail, but they see daily too much evidence of the evils of intemperance not to act upon the matter in some way. We have met to propose plans for the improvement of our people, it is proper that we should give expression to our opinions upon the subject so important to us. Some of the ablest and most talented of our young men, possessing qualities and attainments that would render them capable of doing an incalculable amount of good for themselves and others—are the subjects of intemperance—their influence for good is lost. While this is the case we should speak out; we should unite all our efforts against this great evil.

The Chair, though a warm supporter of the proposition of Mr. Ward, considered it out of order, as the Convention had decided to keep out all

extraneous matter, and upon that ground they had decided to act upon the school question. The temperance question is extraneous matter, and must be ruled out ; but the Convention could appeal from his decision if they desired to, and he should not deem it discourteous to him if he was overruled.

Mr. Collins moved a suspension of the rules to consider the resolution. The motion was lost, and the Convention refused to suspend the rules by the following vote : Ayes, 20 ; nays, 17. Two-thirds being required to suspend, the Resolution was ruled out of order.

Mr. Gibbs offered the following, which was adopted :

No. 20. *Resolved*, That the Secretary of this Convention receive pledges from each member of this Convention, that they will use their best endeavors to raise from their constituents a specific portion of the \$20,000 which, by vote of the Convention, is to constitute the Contingent Fund to be used for the carrying out the objects of this Convention, as follows :

We, the undersigned, do pledge ourselves to raise so much of the Contingent Fund as is set against our names.

Mr. Gibbs said in support of this Resolution : " The creation of this fund, will give assurance that we are in earnest ; something may be left to the humanity and philanthropy of men, in presenting our cause to the public ; but we must have money ; it is one of the most essential aids in carrying out the objects in view, 'the sinews of war;' and we shall have occasion to use in various ways, all we can raise. When we return to our constituencies, let us not sit down upon the stool of do-nothing, but exert every effort to inform and influence those with whom we may come in contact, in public and in private ; I am under the necessity of taking leave of the Convention.

I congratulate you, gentlemen, upon your success in conducting the proceedings of the Convention ; good order has been observed, good feelings have been exercised one towards the other. Bodies of men rarely meet and deliberate, without some confusion. Even in the halls of legislation at Washington, scenes of confusion and disorder are sometimes witnessed, among men who have reputations for refinement and learning. It was feared we could not meet and deliberate two or three days, in an orderly manner. In future, should we meet to counsel for our common good, may similar success attend our efforts.

Mr. Cornish indorsed the resolution, and expressed the pleasure he experienced at the good feeling and harmony that had characterized the proceedings of the Convention. The chair here requested Rev. Mr. Stokes to seat himself on an opposite side of the room, as while two preachers were seated together he never could keep order. The request was complied with, amidst much laughter.

Pledges were made by the following gentlemen, in behalf of the counties they represent.

| | | | | | |
|---|---|---|---|---|---------|
| San Francisco, H. M. Collins, | - | - | - | - | \$1,250 |
| Sacramento, J. G. Wilson, | - | - | - | - | 600 |
| Nevada, Dennis Carter, | - | - | - | - | 500 |
| Yuba, Isaac Triplett, | - | - | - | - | 500 |
| El Dorado, Joseph Smallwood, | - | - | - | - | 1,200 |
| Butte, Isaac Triplett, | - | - | - | - | 150 |
| Alameda and Contra Costa, Fielding Smithen, | - | - | - | - | 200 |
| Santa Clara and Santa Cruz, W. D. Moses, | - | - | - | - | 200 |
| Sierra, Albert Vaniel, | - | - | - | - | 200 |

| | |
|-----------------------------|---------------|
| Tnolumne, John H. Morris, | 500 |
| San Joaquin, Jeremiah King, | 150 |
| Total, | <hr/> \$5,450 |

Mr. Phelps proposed resolution

No. 21. *Resolved*, That a Committee of *three* be appointed to report before the close of this Convention, upon the propriety of establishing a paper for the use and benefit of the colored people of this State.

Adopted, and Messrs. E. R. Phelps, W. H. Newby, and D. P. Stokes, were appointed the Committee.

On motion of Mr. Gilliard, it was voted that this Convention adjourn *sine die*, this evening, at six o'clock.

Mr. C. H. McDougall offered resolution No. 22, proposing the establishing of a banking-house by colored men, in this State.

Mr. J. H. Morris said: "Mr. President, I am opposed to the passage of this resolution. Does the Convention propose to take care of the whole political, moral, social, and financial interests of the colored people of this State? I think not. Let us, then, leave the question of establishing banks. We have already undertaken herculean labors. Let us resolve less, but do more. Besides, we have not forgotten the experience of the past year. Can we expect to succeed in banking operations, where so many have failed? There is a prevailing sentiment of hostility against banks, throughout the State. Nor can we hope to bring a greater amount of capital, experience, and business capacity, to the sustentation and management of the proposed scheme, than have been employed to carry on other institutions of the kind, but which have nevertheless failed. Mr. President, I hope the proposition will be voted down, and that we shall have no more of the visionary and impracticable scheme."

Mr. McDougall said: "There are many in the State who will not deposit their money in the banks already established. But why should we not form banking institutions among ourselves? We have men of means, of good business abilities and integrity. We need confidence in each other. This would be an effective means of building ourselves up as a people, and securing the respect and consideration of the public. There must be a commencement of effort in this direction. My wish is to call attention to the subject, but as the resolution meets with such decided opposition, by leave of the Convention I will withdraw it.

The Resolution was withdrawn. The Convention then adjourned until 4 o'clock, P. M.

THURSDAY AFTERNOON SESSION.

Met at 4 o'clock. President in the Chair.

Finance Committee presented a Report of the amount collected to

defray the expenses of the Convention, \$158,75 ; expenses for stationery, books and light, \$12,60 ; balance in hand, \$146,75.

Finance Committee.—J. J. Moore, Emory Waters. D. W. Ruggles.

The Report of the Committee was adopted.

Mr. William Quinn moved, that the Secretary prepare and send the proceedings of this Convention to the "*Liberator*," and "*Douglass' Paper*," for publication. This motion was not sustained.

On motion of T. M. D. Ward, it was voted that each delegate be furnished with five copies of the proceedings of the Convention when printed.

The next Resolution was as follows :

No. 22. *Resolved*, That the Publication Committee be authorized to have 5,000 copies of the proceedings of this Convention printed in pamphlet form, to be placed in the hands of the State Central Committee—the delegates having received their quota—to be disposed of, and the proceeds put into the general fund.

No. 23. *Resolved*, That the Finance Committee be authorized to pay over to the Publishing Committee the sum of \$100, towards publishing the proceedings as above, were presented by Mr. Townsend, and unanimously adopted.

Mr. E. A. Phelps, Chairman of the Committee appointed to report upon the propriety of establishing a printing press, read Committee's Report.

Your Committee, who were charged with the duty of reporting on the subject of a press, beg leave to say, that after giving the subject earnest consideration, they would earnestly recommend the establishing of a press, for the use and benefit of the colored people resident in California.

The time allotted your Committee was too short to admit of their obtaining the information necessary to enable them to arrange, and report, the details of a plan for carrying out this proposal. They would respectfully recommend the appointment of another Committee from this Convention, to ascertain the probable cost of a press, with its appurtenances, and the mode by which it can be sustained, and report the same to the State Central Committee, who might be charged with the responsibility, if practicable, of carrying the plan into operation. And to this end, the Committee shall be authorized to call meetings, and lay this subject before our people, in the various counties of the State, collect means, and adopt such plans as they may deem necessary for its success. Respectfully submitted.

E. R. Phelps, }
D. P. Stokes, } Committee.
W. Newby, }

The report was adopted, and the Committee discharged.

Resolution 23, presented by Mr. Townsend, was adopted without discussion, as follows :

No. 23. *Resolved*, That the State Central Committee, be authorized to prepare and publish an address, to the citizens at large of this State, setting forth the true character and position of the colored people of California.

Mr. Newby offered Resolution

No. 24. *Resolved*, That the thanks of this Convention be tendered William H. Yates, Esq., for the efficient, dignified, and impartial manner in which he has presided over its deliberations.

It was adopted by acclamation, and in responding to it, Mr. Yates remarked that he duly appreciated the high compliment conferred upon him by the members of the Convention, in thus expressing, in so emphatic a manner, their thanks. In presiding over their deliberations, he had sought

to act fairly towards all, and if he had not done so, he exceedingly regretted it. One thing he desired to call their attention to, particularly as he had been spoken to by several gentlemen present upon the subject.

In the published report of the few remarks he offered on Tuesday, he was made to say—"while I acknowledge in form, appearance and education, the African cannot compete with the Caucasian race," &c.. It should have been—"he is unable under existing circumstances to compete with the Caucasian race," &c. This is what he said and meant: "I do not admit that the African could not compete with any nation, if he is allowed the same opportunities. The colored people have much to contend against in the present age, but by pursuing a proper course could overcome much of it. It has been said that, in holding this Convention—in seeking to change the law by asking for the right of testimony on the same terms with our white fellow-citizens—we are presumptuous. We ask for no social concessions or privileges, but say 'hands off,' and do not depress us; we only desire a removal of a special grievance. The granting of our petition will bless 'him that gives, and him that takes.' We believe the American heart in Northern or Southern men, is too noble and generous to turn a deaf ear to our request, couched as it is in manly and respectful terms. We are Americans; this is our country and our home; we know no other. Who will question our love of country? We say to our white fellow-citizens, in spite of all the evils which surround us, from the East, the West, the North, and the South, we are with you. Where does the white man go that the black does not? If to the battle field, in conquering lands, the black is found at his side; if not with a sword, he has a soup-ladle to feed them while they fight. I am no orator, but a simple laborer, working hard and honestly for my daily living, yet have a love for liberty that cannot be repressed, as it has grown in me for years. I believe this Convention has accomplished much good, for it has awakened an interest in the minds of all, and much good must eventually grow out of it. Let us be united, let us cherish a brotherly regard for each other, and we cannot fail to obtain at length that which we seek."

The following resolutions were unanimously adopted as they were presented, in the following order:

No. 25. *Resolved*, That the thanks of this Convention be tendered Messrs. Vaniel, Carter, Smallwood, and Smithea, for their services as Vice Presidents of this Convention.

No. 26. *Resolved*, That thanks be presented Messrs. J. B. Sanderson, J. H. Morris, and F. G. Barbadoes, Secretaries.

No. 27. A resolution of thanks to Messrs. John Butler and William Queen, door-keepers.

No. 28. *Resolved*, That in consideration of the extra labor required in the preparation of the proceedings of this Convention for publication, the Finance Committee be ordered to pay J. B. Sanderson the sum of \$25.

No. 29. *Resolved*, That the Treasurer of the State Executive Committee, who is to hold the funds collected by order of this Convention, be required to give bonds in the sum of \$10,000, for the faithful discharge of his duty.

Resolution No. 25, offered by D. Stokes.

Resolutions No. 26 and 28 by J. Francis.

Resolution No. 27 offered by C. H. McDougall.

Resolution 29 offered by W. H. Newby.

The Chairman of the Business Committee, Mr. Newby, read the next Resolution,

No. 30. *Resolved*, 'That the Business Committee are richly entitled to the thanks of the members of this Convention, and all who have been present upon its sessions, for their faithful, intelligent and successful labors, in preparing the business, and promoting the objects of the Convention.

Mr. Newby said: "This Resolution was placed in the hands of the Business Committee by Mrs. Alfred J. White, a lady from Tuolumne County. — It is all the more grateful to the feelings of the committee as an expression of satisfaction with their efforts to serve you—as coming from a lady; where the ladies are with us, and approve, we are satisfied that we are right; it is an earnest of success.

"In behalf of the committee, I return our acknowledgments to Mrs. White. It is my misfortune to be a bachelor; and unfortunately for me, also, the lady who proposed this resolution is a married lady, or I should be tempted to hazard the expression, of not only my gratefulness to, but also my admiration of, her, in other circumstances."

Resolution No. 30 was adopted amid applause.

Some inquiries were made by delegates in regard to communicating with each other, and promoting the objects of the Convention.

It was suggested that delegates should call meetings in the counties and towns of their residence, form local organizations, appoint committees, collect funds, circulate petitions, and keep up a correspondence with the State Executive Committee.

Six o'clock, P. M., having arrived, the choir attached to the church, by request, sung an Anthem, selecting

"The Earth is the Lord's,
And the fullness thereof."

The Chaplain pronounced the Benediction, and the President declared the Convention adjourned *sine die*.

NOTE.—In closing these minutes, I take occasion to acknowledge my obligations to the Sacramento "Daily Tribune." Much of the three days' proceedings of the Convention were published in that paper. I preserved the copies, and derived valuable assistance from them in preparing the foregoing pages.
J. B. FANDERSON.

The Committee, appointed under resolution No. 16, present the following to the parents and guardians of colored children in California:

ADDRESS.

"Knowledge is power," said Bacon, one of England's wisest sons. The truth of this apothegm, history and common experience abundantly prove. No people have become truly illustrious, great and powerful, who did not make learning the subject of especial attention.

As of nations, so of communities and individuals. Knowledge gives to its possessors a power and a superiority over the uncultivated, real and substantial. The ignorant must give place and yield to the intelligent and educated; it is a law growing out of the nature of things.

As a class, the colored people have to a great extent been deprived of the advantages of education, the means and opportunities of intellectual culture, and it ill becomes those who have deprived them of those blessings, where they had the power, and in other circumstances have thrown obstacles in the way of their improvement, to taunt them with being ignorant.

But the condition of things are changing; public sentiment, laws, slowly but surely. Educated men better understand, and are coming to acknowledge and teach the absolute necessity of obeying the laws of man's intel

lectual, moral and social nature; by this, we mean that man is the subject of intellectual, moral and physical laws; we cannot break and trample upon the without producing suffering and wretchedness.

Societies are subject to the same laws; their peace, good order and stability depend upon obedience to these laws. Society cannot neglect, hate, abuse and oppress a class, a part, without suffering itself; the indulgence of evil passions, the practice of bad conduct, react backward and forward; ignorance vice, crime and suffering abound, and society is the sufferer; intelligent men see this clearly; they regard the education of youth one of the first and most important duties society owes itself; give good instruction to the young and withhold not.

True intellectual culture gives to men power over themselves, opens a knowledge of the laws of life, disposes them to respect the rights of all and to the practice of justice and virtue.

Dear friends, we are living in an age when, and in a country where the light of knowledge is spreading, is abounding more and more, stimulating activity in the arts, in science, philosophy and general literature. As a people, we are in the midst of these activities, having a common interest in their results.

We are engaged in a great work; it is this, we aim to render ourselves equal with the most favored, not simply nominally equal, but truly and practically, in knowledge, energy, practical skill and enterprise. The past has been to us full of wrong and suffering; we are not content with our present condition; it remains for us to say whether we will continue in this position.

Under God, our dependence is in our children. As parents and guardians, we are under the most solemn obligations to have our children educated; upon any other conditions, our hopes and expectations of the future are vain. It cannot be denied, ignorance has been the cause, chiefly, of our sufferings. We must seize upon every opportunity to acquire knowledge, to educate the head, the hands, the heart, for the duties, necessities and responsibilities of life. It is true the State should provide schools and instruction for our children, but she excludes colored children from her public schools. In one locality only in the State—San Francisco—a school is established for colored children, which is sustained by the liberality of that city's government.

The number of our children is rapidly increasing. In these circumstances, left to provide for ourselves, we must be all the more determined to do our duty—sacrifice something too of personal ease and comfort for the sake of giving your children schooling, wherever it is practicable. When our characters, as a people, shall fully combine the elements of learning, sound morality, and wealth, we shall be free and respected by all.

J. J. Moore, }
T. M. D. Ward, } *Committee.*

REPORT of the Committee appointed to address the Colored Citizens of California, upon the subjects of Agriculture and Mining, and the importance of turning their attention to them:

BRETHREN: In discharging the duty of addressing you upon these great branches of industry, it is our wish to call your attention to reflect carefully upon them, that a lively interest may be awakened.

The agricultural and mining interests of California are rich and fruitful themes; Heaven has indeed been bounteous in heaping blessings upon our State. The application of intelligent skill and industry, in developing its riches, will make it a second Eden.

In the rapid view we shall take of the subject of Agriculture we can only touch a few important points, invite your attention to the subject generally, in the hope you may become familiar with the statistics and the practice of this pursuit. Facts are abundant, going to prove that agriculture, as a pursuit, is the road to wealth, honor and independence; the time has come when we must become owners and cultivators of the land. The mortifying fact is ever before us that colored people, in the free States especially, are rather the consumers than the producers of the wealth of the soil.

The advantages held out by the General Government, as regards the settlement of the public domain, constitute a cheering and encouraging fact. It has been said, "that we cannot settle upon and become possessors of the public lands upon those terms held forth by the General Government." We have taken pains to ascertain the facts upon this point, and we are proud to inform you that we can find no facts going to show that we may not settle upon and lawfully possess portions of Government lands. We would respectfully urge you to use all lawful means to secure for yourselves right and just claims to the ownership of the soil, as a means to usefulness, respectability and wealth.

We would briefly invite your attention to the mining business in California. Mining, like agricultural pursuits, gives those engaged in it, a more honorable position than menial service.

The gold mines of this State must continue for years the source of almost unaccountable wealth. These are open to all; none who are respectable, honest and industrious, are excluded therefrom.

The tide of emigration continues to pour its thousands upon our shores. The time may come when we shall regret that we allowed the golden opportunities to be lost. Hundreds of thousands of acres of mineral lands now unoccupied, in a few years will be worth fortunes, will be sought after, but not obtained.

We have great hopes in the developing and increasing intelligence, energy and enterprise of our people. We urge you again, to opportunities offered, engage in agriculture and mining; honorable employments, they will promote our best interests.

George W. Booth,
Alfred J. White,
George A. Davall, Committee.
Albert Vagel,
Daniel Maloney.

The following Address was prepared by J. H. Townsend, in behalf of the State Executive Committee:

ADDRESS

The colored citizens of this Commonwealth, would respectfully represent before you, their state and condition, and they respectfully ask a candid and careful investigation of facts in relation to their true character.

Our population numbers about 6,000 persons, who own capital to the amount of near \$3,000,000. This has been accumulated by our own industry, since we migrated to the shores of the Pacific.

Most of us were born upon your soil; reared up under the influence of your institutions; become familiar with your manners and customs; acquired most of your habits, and adopted your policies. We yield allegiance to no other country save this. With all her faults we love her still.

Our forefathers were among the first who took up arms and fought side

by side with yours ; poured out their blood freely in the struggle for American independence. They fought, as they had every reason to suppose, the good fight of liberty, until it finally triumphed.

In the war of 1812, in which you achieved independence and glory upon the seas, the colored men, were also among the foremost to engage in the conflict, rendering efficient service in behalf of their common country. Through a long series of years have we been always ready to lay down our lives for the common weal, in defense of the national honor. On the other hand, instead of treating us as good and loyal citizens, you have treated us as aliens ; sought to degrade us in all the walks of life ; proscribed us in Church and State as an ignorant and debased class, unworthy the sympathy and regard of men ; without examining into our true character, you have allowed yourselves to become bitterly prejudiced against us. When we have spoken of the wrongs inflicted upon us, you have turned a deaf ear to our representations and entreaties, or spurned us from you.

We again call upon you to regard our condition in the State of California. We point with pride to the general character we maintain in your midst, for integrity, industry, and thrift. You have been wont to multiply our vices, and never to see our virtues. You call upon us to pay enormous taxes to support Government, at the same time you deny us the protection you extend to others ; the security for life and property. You require us to be good citizens, while seeking to degrade us. You ask why we are not more intelligent ? You receive our money to educate your children, and then refuse to admit our children into the common schools. You have enacted a law, excluding our testimony in the Courts of justice of this State, in cases of proceedings wherein white persons are parties ; thus openly encouraging and countenancing the vicious and dishonest to take advantage of us ; a law, which, while it does not advantage you, is a great wrong to us. At the same time, you freely admit the evidence of men in your midst, who are ignorant of the first principles of your Government—who know not the alphabet. Many colored men, who have been educated in your best colleges, are not allowed to testify ! and wherefore ? our Divine Father has created us with a darker complexion.

People of California ! we entreat you to repeal that unjust law. We ask it in the name of humanity, in the enlightened age in which we live, because of the odium it reflects upon you as a free and powerful people ; we ask you to remove it from your civil code ; we ask it, that our homes and firesides may be protected ; we ask it, that our just earnings as laborers may be secured to us, and none offered impunity, in withholding from us our just hire ; that justice may be meted out to all, without respect to complexion ; the guilty punished ; the innocent protected ; the shield of wise, and wholesome and equal laws, extended over all in your great State ; upon her mountains, in her vallies and deep ravines ; by her winding streams ; may your State be a model, even to the elder sister States, in respect of your just laws ; may your growth, prosperity and happiness, be bounded only by time and immortality.

PROCEEDINGS

OF THE

SECOND ANNUAL CONVENTION

OF THE

COLORED CITIZENS.

OF THE

State of California.

73-13532

HELD IN THE CITY OF SACRAMENTO, DEC. 9TH, 10TH,
11TH, AND 12TH.

SAN FRANCISCO:

G. H. UDELL AND W. RANDALL, PRINTERS.

1856.

30

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FIRST DAY'S PROCEEDINGS

OF THE

CONVENTION,

MORNING SESSION.—DECEMBER 9TH, 1856.

The delegates appointed by the colored citizens of the various Assembly Districts of the State, to hold a Convention on the 9th day of December, in the City of Sacramento, met pursuant to call at the A. M. E. Church.

Mr. J. H. Townsend, of San Francisco, Chairman of the State Executive Committee, called the meeting to order, and proposed that delegates at once proceed to appoint a Chairman and Secretary, *pro tem*, preparatory to the permanent organization of the Convention. On the motion, of J. B. Sanderson, F. G. Barbadoes, of Sacramento, was called to the chair; and, upon the motion of W. H. Newby, F. J. Vosburgh, of Yuba, was appointed Secretary, *pro tem*. Mr. Thomas Detter, of Sacramento, moved to appoint a committee of five to receive and examine the credentials of Delegates, and report the same to the meeting. The motion was adopted, and the following gentlemen were appointed by the chair:

COMMITTEE ON CREDENTIALS.

| | |
|------------------------------------|--------------------------------------|
| M. S. Haynes, Sacramento. | A. E. Dennison, . . . San Francisco. |
| E. K. Phelps, El Dorado. | Jacob Francis, Yuba. |
| W. H. Newby, . . . San Francisco. | |

The committee made the report as follows:

Number of counties represented, 17.

Number of Delegates in convention, 61.

| | | | |
|------------------------|-----------------|------------------------|------------------|
| <i>Sonoma County</i> , | Geo. W. Miller, | <i>El Dorado Co.</i> , | Wm. H. Hall, |
| <i>Marin</i> , | A. Sisco, | " " | Andrew Collins, |
| <i>Shasta</i> , | B. B. Young, | " " | G. B. Brown, |
| " " | E. Vincent, | " " | F. Hutfield, |
| <i>Yuba</i> , | T. J. Vosburgh, | " " | E. K. Phelps, |
| " " | M. J. Brown, | " " | John Buckner, |
| " " | Jacob Francis, | " " | J. B. Sanderson, |
| <i>Nevada</i> , | Emory Waters, | " " | G. W. Booth, |
| " " | E. A. Booth, | " " | F. Lawrence, |
| <i>San Mateo</i> , | R. A. Hall, | " " | J. C. Mortimer, |

| | | | |
|-----------------------|------------------|------------------------|------------------|
| <i>Sacramento Co.</i> | F. G. Barbadoes, | <i>San Fran'co Co.</i> | F. R. Carter, |
| " | Thomas Detter, | " | Nathan Pointer, |
| " | G. F. Fletcher, | " | E. H. Parker, |
| " | J. M. Flowers, | " | M. W. Gibbs, |
| " | M. S. Haynes, | " | C. H. McDougal, |
| " | J. B. Handy, | " | D. P. Stokes, |
| " | James Hubbard, | " | Daniel Seals, |
| " | R. W. Freman, | " | Charles Satchel, |
| " | S. Holmes, | " | J. E. Brown, |
| " | David Lewis, | <i>Butte,</i> | W. H. Hall, |
| " | John Wilmot, | " | J. B. Johnson, |
| <i>San Fran'co,</i> | W. M. Newby, | " | Alex. Ferguson, |
| " | J. H. Townsend, | <i>Mariposa,</i> | Thomas Duff, |
| " | J. J. Moore, | <i>San Joaquin,</i> | Sam'l B. Hyer, |
| " | E. J. Johnson, | " | Wm. Robinson, |
| " | A. G. Dennison | <i>Siskiyou,</i> | C. M. Wilson, |
| " | G. W. Gordon, | <i>Placer,</i> | I. P. Gibbs, |
| " | C. B. Bass, | <i>Napa,</i> | C. A. Gibson, |
| " | H. M. Collins, | <i>Alameda,</i> | W. H. Harper, |
| " | Peter Anderson, | <i>Tuolumne,</i> | H. F. Smith, |
| " | Wm. F. Courts, | " | N. F. Henry, |

Mr. Detter moved to adopt the report of the Committee on Credentials. Mr. Sanderson inquired if members of the State Executive Com- are to be considered ex-officio members of this convention. Mr. Newby thought they should be so considered ; to settle the point he would offer a motion that the names of J. B. Sanderson and Geo. W. Booth be recorded on the list of Delegates to the Convention, and that they be accredited as representing the assembly districts in which they reside ; this motion was submitted as amendatory of the report of the Committee on credentials, and adopted.

The report on motion of Mr. Detter was adopted.

J. H. Townsend moved that a committee be appointed to consist of one from each county represented, to report a list of officers for the permanent organization of this convention. A discussion ensued as to the most satisfactory mode of appointing the committee as proposed in the motion of Mr. Townsend, in which Messrs. Hall, Phelps, Newby, Lewis, Henry, Moore, and others, participated.

Mr. J. B. Johnson, of Butte, suggested that in appointing this committee, we adopt the course pursued by the convention last year. On examination, Mr. Townsend's motion was found to be in accordance with the course taken last year, and it was adopted without further debate. The chairman appointed the following gentlemen as the committee on nominating officers :

| | | | |
|-------------------------|-------------------|---------------------------|-----------------------|
| W. H. Harper, | <i>Alameda,</i> | Richard Hall, | <i>San Mateo,</i> |
| E. R. Phelps, | <i>El Dorado,</i> | G. F. Fletcher, | <i>Sacramento,</i> |
| Thos. Duff, | <i>Mariposa,</i> | S. B. Hyer, | <i>San Joaquin,</i> |
| Aaron Sisco, | <i>Marin,</i> | G. W. Miller, | <i>Sonoma,</i> |
| E. A. Booth, | <i>Nevada</i> | W. F. Courts, | <i>San Francisco,</i> |
| C. A. Gibson, | <i>Napa,</i> | W. D. Moses, | <i>Santa Clara,</i> |
| I. Gibbs, | <i>Placer,</i> | N. F. Henry, | <i>Tuolumne,</i> |
| C. M. Wilson, | <i>Siskiyou,</i> | Jacob Francis, | <i>Yuba.</i> |
| B. B. Young, | <i>Shasta,</i> | | |

The Nominating Committee, through their chairman, Mr. H. Harper, presented the following Report :

| | | | |
|-------------------------------|--|--------------------------|---------------|
| <i>For President</i> ,— | | Wm. H. Hall,..... | Butte County. |
| <i>For Vice Presidents</i> ,— | | B. B. Young,..... | Shasta “ |
| “ “ “ | | H. T. Smith,..... | Tuolumne “ |
| “ “ “ | | T. Duff,..... | Mariposa “ |
| “ “ “ | | F. G. Barbadoes,..... | Sacramento “ |
| “ “ “ | | Wm. H. Newby,..... | San. Fran. “ |
| <i>For Secretaries</i> ,— | | J. B. Sanderson,..... | El Dorado “ |
| “ “ “ | | F. J. Vosburgh,..... | Yuba “ |
| “ “ “ | | S. Howard,..... | Sacramento “ |
| <i>For Chaplain</i> ,— | | Rev. J. J. Moore,..... | San Fran. “ |
| <i>For Door Keepers</i> ,— | | Mitchell S. Haynes,..... | Sacramento “ |
| “ “ “ | | C. B. Bass,..... | San Fran. “ |

The Report was accepted.

On motion of Mr. Francis, a committee was appointed to wait upon the President, and conduct him to the chair; Messrs. Jacob, Francis, and Newport F. Henry, were by the chair appointed. The President, on being conducted to the chair, was received with applause—he addressed the convention as follows :

GENTLEMEN :—In electing me to preside over your deliberations, in this, the Second Convention of the Colored People of the State of California, you have conferred an honor, to which I did not dare aspire. I see around me gentlemen, who, by reason of their superior wisdom, and more extended experience of public assemblies, I deem far better qualified to discharge the duties of the position you have assigned me; for your partiality in singling me out for this honor, I beg you to accept my thanks. I shall endeavor, to the amount of my ability, to fulfil your expectations; to preside with impartiality and efficiency, assured that I may depend upon your good judgment to sustain me; young and inexperienced, I may make mistakes—have patience with me, for they will be faults of the head, not of the heart.

It is only with such feelings and such hopes I dare accept this honor. Gentlemen, the occasion which has brought us together is one of great importance. The object we seek, equal testimony in the courts of this State, is deserving of our most earnest effort; the eyes of the public are upon us, expectation is rife, our friends here and in the older States are looking with anxiety for the results of our action; as Nelson said when about to engage at Trafalgar, “England expects every man to do his duty.” So expect our constituents of us. We are not without many enemies who would rejoice to see confusion and division in our midst, but let us enter upon our deliberations in a spirit of kindness and conciliation. If there ever was a people among whom union was necessary; union of purpose, of spirit, and action for the sake of success, then is it necessary to us. So peculiar are the circumstances and conditions amid which we live in our native country; of those conditions I need not speak in detail; experience has made us familiar with them. Gentlemen, for my own part, my hopes of my people in the future are strong; stronger to-day for what I see around me; I have not words to express my emotion; this scene, this occasion, I shall remember all my life with pleasure and gratitude. Since the convention of 1855, events have transpired indicating a slow, but sure and probable change in public

sentiment in regard to our character as a people; the increase of intelligence, of wealth, of moral excellence, and as a consequence the development of those qualities which give dignity to men, and command for them the respect of their fellows, must inevitably secure the same results to us.

Gentlemen, our work is before us; we are fortunate in having a chart to guide us in the convention of last year; allow me to repeat, that I shall trust to your kindness and intelligence to aid me in the discharge of my duties in preserving order and in prosecuting wise and efficient action; may God speed the day when, as a people, we shall be truly free and equal.

After the applause which followed the President's speech had subsided, the chaplain, Rev. J. J. Moore was introduced, and addressed the convention as follows:

GENTLEMEN—I thank you for the honor conferred upon me by appointing me your chaplain. It is very gratifying to me to know, that in the beginning we acknowledged our obligations to, and our dependence upon our Creator and Heavenly Father; this is well. We are engaged in a good work, no less than that of our moral, political, and intellectual improvement. He that holds the lives of men in his keeping; that bringeth fear and trembling upon their hearts because of their evil doing. He can give us the victory over all opposition; in our labors prosecuting a righteous cause, nothing on earth can prevent our ultimate triumph. His attributes are pledged for our success, and if God is for us, who can be against us to prevent? Our claims upon our white fellow-citizens have been neglected; our true character and general interests have been grossly misrepresented; but the darkness is passing and the light of truth begins to dawn. May God control our thoughts, our hearts, and our actions: as with his blessing, we had success in convention last year, so may we, with his favor, have success in our present convention.

Mr. T. Detter moved that a committee be appointed by the chair to prepare business for this convention. The motion was adopted, and the following gentlemen were appointed as the Business Committee.

J. H. Townsend, B. B. Young, N. F. Henry, G. W. Miller, M. S. Haynes, R. Hall, T. Detter, A. Sisco, J. Francis, T. Duff, E. R. Phelps, J. B. Johnson.

J. H. Townsend moved that a committee of seven be appointed by the chair to prepare and present to the convention a report upon the subject of a State Press, to be devoted to the interests of the colored people of the State of California. Motion adopted, and the following gentlemen appointed.

W. H. Newby, J. B. Johnson, B. B. Young, T. Duff, A. Ferguson, A. Collins, J. Francis.

F. G. Barbadoes moved that a committee of three be appointed by the chair on Finance. The motion was adopted, and the following gentlemen were appointed.

F. G. Barbadoes, G. W. Gordon, G. W. Miller.

Mr. F. Henry made a motion to appoint a committee of five to draw up a report upon the subject of Education. Mr. Henry said, that the subject of education was one of great importance, and that it should claim the interest and attention of the convention, and he earnestly

hoped that the committee would be appointed immediately. The chairman remarked that he thought the motion of the gentleman from Tuolumne rather premature at the present stage of the convention; there was much other business of more immediate importance that should take precedence; he hoped the gentleman would not deem him discourteous or opposed to the measure; he promised him every assistance for the advancement of his object, when it should at some later period come up before the convention.

Mr. Moore favored the immediate action of the convention upon Mr. Henry's motion. Mr. Francis said that his constituents had sent him there more particularly to work for the repeal of those laws which deprive us of our testimony in the Courts of California, and that he could not favor any other matter until we shall have made some progress in that direction. He was opposed to any action at present upon the question of Education. Mr. Richard Hall read the call of the convention and the objects proposed therein. He did not or would not oppose the motion, but thought that we should proceed in the order of business as proposed in the call.

Mr. Townsend thought that the report of such a committee as that which Mr. Henry contemplated, should refer especially to the laws which deprive children of color of equal school rights. He was opposed to the motion because it was not specific; he hoped that it would be withdrawn. Mr. Booth desired to be informed upon the subject; he had thought it was public sentiment that was the preventative. Mr. Townsend explained the matter. Upon a call for the question the motion was put on Mr. Henry's motion, and carried by 22 to 16.

The chair appointed the following gentlemen as the Committee on Education.

N. F. Henry, F. G. Barbadoes, C. M. Wilson, F. Hatfield, E. R. Phelps.

Upon the motion of F. G. Barbadoes, the convention adjourned to 4 o'clock, P. M.

J. B. SANDERSON,
F. J. VOSBURGH,
S. HOWARD.

AFTERNOON SESSION.

FIRST DAY.

At 4 o'clock, P. M., the convention was called to order by President Hall. The throne of grace was addressed by the chaplain, Rev. J. J. Moore. The Secretary then read the proceedings of the morning session, which were approved.

J. H. Townsend, chairman of the Business Committee, requested that the committee be allowed until to-morrow morning to prepare their report for the action of the convention. The request was granted.

Mr. Townsend then introduced the resolution, viz.: That this afternoon be devoted to the hearing of remarks of delegates, one from each county represented, and that fifteen minutes be allowed each delegate.

Mr. Ferguson proposed to amend the resolution by the words, "and that each county be called in the order in which the credentials were handed in." Amendment accepted, and the resolution adopted. The names were called in the following order, on the part of Sonoma county. G. W. Miller responded.

| | | | |
|-------------------|--------------------|--------------------|-----------------------|
| A. Sisco,..... | <i>Marin,</i> | J. H. Townsend,.. | <i>San Francisco,</i> |
| B. B. Young,..... | <i>Shasta,</i> | A. Furguson,..... | <i>Butte,</i> |
| J. Francis,..... | <i>Yuba.</i> | T. Duff,..... | <i>Mariposa,</i> |
| E. A. Booth,..... | <i>Nevada.</i> | Wm. Robinson,.... | <i>San Joaquin,</i> |
| R. Hall,..... | <i>San Mateo,</i> | C. H. Wilson,..... | <i>Siskiyou,</i> |
| F. Hatfield,..... | <i>El Dorado,</i> | W. H. Harper,..... | <i>Alameda,</i> |
| N. F. Henry,..... | <i>Tuolumne.</i> | C. A. Gibson,..... | <i>Napa,</i> |
| D. Lewis,..... | <i>Sacramento,</i> | I. Gibbs,..... | <i>Placer.</i> |
| T. Detter,..... | " | | |

The afternoon, from 4 to 7, was thus occupied, and much valuable information communicated, embracing statistics of population, business, wealth, and character of the colored people living in the counties represented. It is to be regretted that the various members made no notes of their remarks, as they could then have been published. Messrs. Booth and Detter having handed in notes, Mr. E. A. Booth, said:

Mr. President and gentlemen—I am happy to meet with you on this occasion, and to respond to the call on behalf of Nevada county. The object for which we have met is a good one, and I feel deeply my want of language to express my feelings in relation thereto; but I will endeavor, briefly, to present a few facts respecting the condition of our people in my county. There are about five hundred colored people residing there, variously employed. A few are farmers and mechanics, a small number are engaged in trading, but the majority of them are miners. It is with pride I say it, we are showing to our white fellow-citizens that we have some natural abilities; we are resolved to let them see that all we want is an equal chance, an open field, and a fair fight.

If they will dig the mountains down,
We will the rivers dry;
And if they can the color raise,
We certainly can try;

We intend to disprove the allegation that we are naturally inferior to them. The colored people of Nevada county possess property to the amount of \$300,000 in mining claims, water and ditch stock, and some real estate. We have one church, but no permanent school-house; a company is about forming to build one. Immediately upon seeing the call for this convention we came together, and after some deliberation, the people chose Mr. Emory Waters and your humble servant to represent them in the convention. Our constituents feel deeply the disabilities which we suffer. Under the present laws of this State, as they refer to our testimony and the school privileges of colored children, and they are willing to join you and do their part in the struggle for our rights. It is with regret I acknowledge that we have some among us who are indifferent to their condition, but I trust that all such will soon see and feel that every colored man is the victim of bitter prejudice and

unjust laws, and that they can lend their influence to change the one and abate the other; to this end how important it is that we should be united; if it be true that "union is strength," then is it also true, that division is weakness. 'Who then speaks of disunion or weakness? Brothers in suffering and oppression! our experience teaches us that by union only can we accomplish the purpose for which we have assembled. Let us drive out from our midst all local or sectional prejudices; we are all brothers, whether from Missouri or Maine, from New York or Alabama; crushed by the same power, let us be actuated by the same motives, the same aspirations; then down with the demon discord, and from to-day let us labor in union for the common good.

Mr. Dettter said—Mr. President, there seems to be a feeling of the deepest interest manifested here to-day. I rejoice at it, and I sincerely hope that love and unity may govern us in our actions. Why have we convened together? Because the law, relating to our testimony in the Courts of California, is but a shadow. It affords no protection to our families or property. I may see the assassin plunge his dagger to the vitals of my neighbor, yet, in the eyes of the law, I see it not. I may overhear the robber or incendiary plotting the injury or the utter ruin of my fellow citizen, and yet, in the judgment of the law, I hear it not. The robbery may follow, the conflagration may do its work, and the author of the evil may go unpunished, because only a colored man saw the act or heard the plot.

Under these circumstances who are really injured and losers by the law? It deprives colored men from testifying in cases where white persons are parties. Is it not evident that the white citizen is an equal sufferer with us? When will the people of this State learn that justice to the colored man is justice to themselves? Why, in the despotic lands of Europe the humblest servant may approach his sovereign, present the statement of his grievance, and rarely does he fail to obtain redress; but here, in this boasted land of liberty and equality, where the people are the sovereigns, the laws but express the *popular sense of right*; the judges interpret, and the courts enforce them. What redress have we from the legal tribunal? What protection from injustice have we? Even the ministers of the law are often compelled to stifle their convictions of right or wrong, and do violence to their sense of justice under this enactment. Mr. President, I do not believe this state of things can last; the people of this State cannot be interested in upholding and continuing an act which never has been and never can be made compatible with the safety and security of the lives and property of those whom, by a gross sophism, it assumes to benefit and protect. It is an act alike disgraceful to the intelligence of this State, and a foul blot upon the pages of her Statute Book. Friends, let us feel assured that a brighter day is opening, the public mind is awakening, let us continue to hope and work for this change, and may heaven crown our efforts with success.

Seven o'clock, the hour of adjournment having arrived, the President declared the convention adjourned to Wednesday, 10 o'clock, A. M.

| | |
|------------------|-----------|
| J. B. Sanderson, | } Secy's. |
| F. J. Vosburgh, | |
| S. Howard, | |

SECOND DAY'S PROCEEDINGS.

MORNING SESSION.—DEC. 10TH, 1856.

Convention met at 10½ o'clock. President Hall called the Delegates to order. Proceedings were opened with the reading of the 15th chapter of Proverbs, and prayer by the Chaplain. Minutes of the previous meeting read and approved. Messrs. Lewis Mortimore, of El Dorado, and Charles Gibson, of Napa counties, presented their credentials, and were invited to take their seats as members.

B. B. Young said, "he desired to avail himself of the present opportunity to thank the Convention for the honor they had conferred in making him one of the Vice Presidents. He hoped that the action of the Convention would redound to the honor of its members, and the success of our cause."

Mr. Newby remarked, "I hope that Delegates will endeavor to be punctual in their attendance on the Sessions of the Convention, so that we may commence business according to the rules which have been adopted. If it is obligatory upon the President to adjourn at the hour named in those rules; it is equally obligatory upon him to open the Sessions at the hour specified therein."

Mr. Gordon moved that Mr. David Seals, of San Francisco, be invited to take a seat as a Delegate. Motion adopted.

Mr. George W. Booth moved that Mr. Lawrence, of Placerville, be invited to take a seat as a Delegate.

Mr. Newby objected; he said, I hope this motion will not pass. The colored people of Placerville, whence Mr. Lawrence comes, have been guilty of great dereliction of duty. Placerville refused to send Delegates to this Convention, at least none have come from the people. They are said to have treated the authority of the last Convention with neglect, and practiced bad faith towards the Executive. I do not say Mr. Lawrence has done this personally, neither would I be guilty of discourtesy towards him. But this Convention should have more self-respect than to receive a Delegate from the Placervillians, until the matter charged upon them is satisfactorily explained. The colored people have sent us here to act for them; it is an earnest work in which we are engaged.

Mr. Booth explained; he said, my idea in proposing Mr. Lawrence was this: that gentleman is in possession of facts respecting the action of the people of Placerville; admit him as a member, and you afford him an opportunity of stating those facts.

Mr. Townsend hoped the question would be taken, and the matter disposed of one way or the other. He thought we were losing valuable time upon a point of slight consequence.

Mr. Ferguson said, let us have no informality in our action. I have ever noticed, that in public assemblies, haste and informality generally result in failure, and that formality is the basis of success. The gentleman from Placerville once admitted, you will have established a bad precedent. You will have cast off that form and dignity of action, which, as a Convention, gives you influence and importance with the people.

Mr. Newby said, it is better to be just to ourselves, and at the same time to the people of Placerville. Society makes laws to punish offences, to prevent crime, or its repetition. Society assumes and exercises

this right as necessary from the nature of things. The colored people have delegated us to act for them to a certain extent, for specific purposes; in working out these purposes, these results, the details must be followed and enforced. Here is a case, for which, as well too for ourselves, we are in some sort compelled to make a law. We claim the right to enforce a moral necessity, and to denounce those who, having acknowledged the Convention, and their interest in the success, of its action, yet utterly disregard the obligations to the Convention which they had voluntarily assumed. It may be right to be courteous, and most certainly I feel no bitterness, my words are spoken

"More in sorrow than in anger."

The people of Placerville are guilty of something; a wrong has already been committed; I consider that she has been arraigned, and until purged of that wrong, she is not entitled to the same courtesies with other counties; courtesies which we yield to others as their unquestioned right, as we claim them for ourselves while acting in good faith. The question of courtesy is not involved in this proceeding. Placerville holds the relation to this Convention of a person charged with an offence; he is not yet judged; but the *onus probandi*; the burden of proof rests upon him. From these circumstances can you treat her Delegates as you do those from the other counties? No! Some of your best men, members of your Executive Committee, visited Placerville to settle certain business agreeably to the action of the last Convention; that they were not successful, let Placerville bear the blame; for my own part, I hold that she has treated us most shamefully, most disgracefully.

Mr. Francis thought that we were pre-judging the case; no specific charge has been made; until this is done, we cannot decide upon the facts; we want information.

Mr. C. M. Wilson said, I hope the gentleman who made the motion under discussion will withdraw it until the facts are ascertained; let us not be in too great haste; if the people of Placerville have acted wrongfully, let us know the facts.

Mr. N. Henry said, the gentleman from Placerville is a stranger to me, and I can have no prejudice against him; I would go for letting him come in at once, but it is said there is wrong, there is trouble among our people at Placerville; at present, there are no definite charges. If it had been said that this gentleman was implicated in the wrong, I should be against his admission; but if he had not a participation therein, then let us receive him.

Mr. Emory Waters said, are there not Delegates from El Dorado county in the Convention? If you have already received Delegates from that county, it seems to me you should let those from Placerville come in; I think it will be inconsistent to refuse them; if they have troubles, let them settle them among themselves; refusing Placerville, it seems to me, will be reflecting upon the county, and equivalent to placing all our people there under ban.

Mr. H. M. Collins, asked, is Mr. Booth a Delegate from El Dorado county?

Mr. Booth said, I am not sent as a Delegate from Placerville, though a resident of that place. I am here as a member of the Executive Committee, appointed by the Convention of last year. The people there did,

at first, propose to send Mr. Lawrence to this Convention, with three other gentlemen, but afterwards decided to send no Delegate. As Mr. Lawrence is here, I wished the Convention to receive him that we might get his statement of facts.

Mr. Moore said, we can avoid getting into trouble ourselves; let us go right; the question is, has the gentleman got credentials? Is he delegated by the people of Placerville? Delegate means one sent and empowered to act for others. Is he sent to this Convention? This will be the best way of coming to a decision upon the question of admitting or not.

Mr. Ferguson, though averse under ordinary circumstances to shutting off discussion, because I am in favor of the largest liberty, liberty of speech. Yet, it is plain we may not otherwise be able to decide as to the propriety or impropriety of receiving the gentleman from Placerville, and for the purpose of facilitating business, I will move that the previous question be now put. This motion being seconded, was sustained.

The President then put the motion of Mr. Booth, that J. F. Lawrence, of Placerville, be invited to take a seat as a Delegate, and it was carried.

Mr. Peter Anderson stated that he intended, during the Session of the Convention, to bring in a series of resolutions in favor of a State Press.

Mr. M. S. Haynes moved that a committee of three be appointed to investigate the charges presented against Placerville, and report upon the same to the Convention.

H. M. Collins proposed to amend by appointing five on that committee; amendment accepted. The chair appointed Messrs H. M. Collins, E. A. Booth, Richard Hall, Charles M. Wilson, William H. Thomas.

Mr. S. Howard asked permission to read a series of resolutions—granted.

The resolutions having been read, were, by vote, laid on the table.

The Business Committee, by its chairman, J. H. Townsend, reported the following preamble and series of resolutions.

Whereas, The state and condition of the colored citizens of California is one of political as well as social debasement, and calls loudly upon them to exert themselves in behalf of reform, and to unite their energies to repeal and overthrow the cruel and unjust laws of this State which are imposed upon them, and

Whereas, We are satisfied that our condition, according to the opportunities enjoyed, will bear a favorable comparison with that of any other class of men in this State; and being fully determined to use every proper exertion to obtain those great and inestimable rights for which our fathers fought and bled, in common with others, that they might secure them as an inheritance to us, their children. Therefore, be it

Resolved, That we will use every means in our power to exhibit a true state of our condition, repudiating the base slanders and falsehoods that have been fabricated against us.

REPORT OF BUSINESS COMMITTEE.

Resolved, That we will continually remind our white fellow-citizens, that they are imposing upon us the same wrongs and grievances which caused their forefathers to rebel against Great Britain, and to appeal to their arms, and the God of battles.

Resolved, That the laws of the State of California disfranchising its colored citizens, on the ground of color, are a foul blot upon the Statutes of the State, having no precedent in the annals of the world, unworthy of, and a disgrace to, the enlightened and progressive spirit of the American people.

Resolved, That we claim our rights in this country, as any other class, not as citizens by adoption, but by right of birth; that we hail with delight its onward progress; sympathise with it in its adversity; and would freely cast our lot in the fortunes of battle, to protect her against foreign invasion.

Resolved, That the laws of evidence in judicial investigation, should be accommodated to, and identified with, the laws of the human mind, and, therefore, every force and circumstance having a tendency to throw light upon the subject under investigation, should be heard and judged of according to their relative weight and value, and with reference to all the circumstances of credit or discredit connected with them.

Resolved, That past experience has abundantly shown, that all attempts to establish artificial standards of credibility, depending upon such tests as race, color, creed, or country, are as unwise as they are unjust; that they serve only on the one side to obstruct the investigation of truth, by the erection of useless barriers; and, on the other, to defraud the excluded classes, while, at the same time, they subject them in their lives, in their persons, and in their property, to outrage and injustice, with impunity, from the more favored classes.

Resolved, That the true and only tests of credibility in a witness, are his intelligence, integrity, and disinterestedness; and that, as a race, we are willing to be subject to these tests, to be applied in each case as it occurs, and that we ought not to be subject to any other.

Resolved, That to a class of people, the right of testimony is as valuable as the right of self-defence—a right which no generous foe will deny even to an enemy.

Resolved, That we recommend the creation of a contingent fund, to be controlled by a committee, having discretionary power, to enable them to carry forward any measures that have for their object the amelioration of our condition.

Resolved, That a State Executive Committee be appointed by the Convention, with full powers to adopt such measures as may be deemed expedient to accomplish the objects in view.

Resolved, That the common law, and the common school, are the only hope of a free and enlightened people; the former their shield, and the latter, their guide; and no people can be prosperous and happy who are deprived of these inestimable rights of God to man.

Resolved, That the character, integrity, industry, and intelligence of the colored citizens of California, will compare favorably with that of any class of men in this State, and are deserving of better treatment from the authorities than that to which they are exposed, by the legalizing of the principle (as applied to them) that "might makes right."

Resolved, That we will memorialize the Legislature at its approaching session, for the repeal of so much of the 3d and 4th paragraphs of Section 394, of an Act passed April 29th, 1851, entitled "An Act to regulate proceedings in civil cases in the Courts of Justice in this State," as relates to negroes: also, to repeal so much of Section 14, of an Act

entitled "An Act concerning crimes and punishments," passed April 16th, 1850, as relates to negroes and mulattoes, and which disqualifies negroes and mulattoes from being competent witnesses in the Courts of Justice in this State, in cases or proceedings to which white persons are parties.

The Report of the Business Committee was accepted on motion of Mr. Anderson.

Mr. Henry moved to adopt the Report in sections :

Mr. Ferguson suggested that the preamble should be in order : adopted after the resolutions.

Resolution No. 1 being read again, and upon the motion of Mr. New; by, adopted.

Resolution No. 2 read, and on motion of Mr. Barbadoes, adopted.

Resolution No. 3 read, Mr. Robinson moved its adoption—carried.

Resolution No. 4 was read, pending a motion to adopt it Mr. Newby said.

"I am opposed to the language of this resolution, "that we hail with delight its onward progress;" no man can expect me to do this; a coun-arc, whose prosperity and wealth has been built upon our sweat and blood; to say we hail its progress with delight, is to make ourselves ridiculous: to tell this to America—to the world—is to volunteer the acknowledgement of a degree of servility, that would make us undeserving the sympathy and respect of just men.

"We freely cast in our lots in the fortunes of battle, to protect against foreign invasion;" this may be patriotism—but patriotism may be a vice; in a white man—a freeman, it may be worthily indulged; as an American, the events of his country's history, and the circumstances of her present condition, may indeed stir within him sentiments of pride and love of country; but to the colored people, what is the history of the past, in America, but the history of wrongs and cruelties such as no other people upon the face the earth have been forced to endure? The same institutions that bless the white man, are made to curse the colored man.

"Shall we say 'we will protect against foreign invasion?' God kows I speak advisedly—I would hail the advent of a foreign army upon our shores, if that army provided liberty to me and my people in bondage; this may be thought ultra, but in saying it I am influenced by the same motives and spirit which influenced Henry, when he said to the burgesses of Virginia, 'give me liberty, or give me death!' words that made men's blood move fast within them, and caused them instinctively to clutch the handles of their swords.

"Henry was thought at first to be bold and ultra; but history regards him as a brave and noble man. We are wronged; let us declare it openly to the world. England has done her duty towards us; she has abolished slavery in her colonies, and is doing what she can to destroy the system from the earth. In the great conflict of opinion that is stirring the nations, her example, her influence is on the side of freedom.

"Would we, could we do battle against England? There is in men an innate sense of justice—we feel it; let us not stultify ourselves. I trust the resolution will not be adopted.

Mr. Henry said:—"I love my country, with all her faults, I love her," but I cannot hail with joy her progress; if, by progress, is meant the ac-

quisition of Territory and the extension of slavery therein, as in the case of Texas, Kansas and Nebraska. If we were capable of hailing such a progress, we were fit for nothing else, and ought to be enslaved.

"It is said to be impolitic to express such sentiments; but is it right for the oppressed to tell their oppressors of their wrongs, face to face.

"As to shouldering our muskets and marching to the field of battle to fight against foreign invaders; our fathers did that, pouring out their blood, and giving their lives freely for American liberties; how were they, how have their posterity been rewarded? with chains and oppression. Look at the laws of the United States; look at the public documents which illustrate her public sentiment; how prevalent the spirit of prejudice and hatred against the colored man; they have injured, and therefore hate us; let a different course be pursued—let the whites put away their prejudice, and do a just part by us; and, when they do this, we shall feel that we have a country—that patriotism is a noble virtue, and like our fathers, we will shoulder our muskets, and expose our bodies, ever ready to defend our country against foreign invaders or domestic foes, to protect her institutions, and promote her progress.

Mr. D. Lewis said:—"Mr. President, it seems to me, we are traveling out of the record; I supposed we had met for a specific purpose; this resolution is leading us away into a maze of inextricable confusion; let us come back and attend to the matters proposed in the call for the convention.

Mr. J. Hubbard said:—"The only objection I have to the resolution is, it is not clear in its language. Like Mr. Henry, I love the land of my birth, and hail its progress in the right; but the laws which sustain her slave pens and prisons, her auction blocks, and the selling of human beings, the branding of men and the scourging of women, the separation of man and wife, parents and children, I hate them. Fight for the protection of these, no! Men identified with those who have been and still are the victims of these oppressors; and, let it not be supposed that we could fight against any country that has repudiated this system. Why did the pilgrims leave England, protesting against the laws, the institutions of their country? Because they could not enjoy freedom of conscience, and religious toleration, popular history says, now, the puritans were right. Americans know they were right in that open protest, at home and abroad, even against the laws and policy of their native country.

Mr. Moore said:—"If it is to build up slavery, that is quite another thing. I do not think this is the intended meaning of the language; neither do I think the friends need to fear that the country will make any more progress in that direction. It is true the south continues to threaten, that if she is not allowed to bully the people, and drive the country further in this progress backwards, thus extending the area of slavery, and consolidating their power, so that they may suppress free thought, free speech, and a free press, break down the last vestige of liberty, all but the liberty for themselves to be the national masters and overseers; why then they will dissolve the Union. But we know these threats, as the politicians say, are for buncombe; the south don't mean it; they, indeed, dread nothing so much.

But, then, I don't think it possible for them to get the North to go any further downward; they are beginning to combine in self-defense,

acting upon the principle of "the greatest good to the greatest number," with the definition that that is "*number one*." The people of Yankcedom deserve no special credit from us; it is not sympathy with our condition; but whencesoever comes this manliness in them, I am glad to see it. Slavery is welding the chains about the white man, and they are galling him; herein too is a sign of hope; taking up arms is scarcely compatible with my profession; if it were, I am inclined to think I should "right about face."

Mr. F. G. Barbadoes said:—"It is with sorrow that I have listened to the intemperate expressions uttered by gentlemen in opposition to the fourth resolution. I do not entirely endorse that resolution, for the reason that I think some of its expressions unnecessary at this time. I speak of that portion referring to invasion by a foreign foe. Our country, thank God, is not menaced by such a probability; should that time come, I doubt not, that the colored man will be found as he ever has been in all the wars of America, fighting for home and liberty.

With the affairs of England or other foreign nations, we have nothing to do at this time. With the question of Slavery and the Union, we have nothing to say. This is not the time or place for the introduction of such inflammable and discordant subjects.

We are here as American citizens, amenable to the laws and claiming their protection by right of nativity, while acting upon a matter strictly local in its nature, benefits, and effects, viz., the removal of a special grievance in the laws of our adopted State; a grievance which leaves us without a shadow of safety or protection for our families and property from the incursions of the robber, incendiary, or assassin. It is to the carrying out of this purpose that we should gather all our strength, and concentrate all our efforts.

I appeal to the good sense of this Convention, if the introduction of all matter not directly touching the points for which we have assembled, should not be promptly suppressed? We cannot, in justice to our constituents, allow such subjects to have occupancy in this Convention. I trust that the resolution may be withdrawn, and that harmony may be restored."

Mr. Newby said:—"Mr. Barbadoes dislikes the language used in reference to this resolution; he calls it rash, incendiary, and yet he is opposed to the resolution; yes, to that part which refers to foreign invasion. What fallacy is this! The policy recommended by gentlemen may be very good, but let us not promulgate a lie. How long shall we be governed by this degrading policy? I do not believe it necessary that we should assume a position so wanting in respect; we concede much to the public continually in our intercourse with them, by our words and actions, by the humility of our general deportment; it is not necessary we should be hypocritical; neither interest or true policy so dictate; right thinking men would despise us for it. We have permitted this sort of policy to govern our conduct long enough, not that we should make it a point to offend, but speak frankly and truthfully. Intelligent whites know and appreciate intelligence wherever they see it; they despise cowardice and duplicity; we know that we should act, as they know they would in the same circumstances, because it is right so to act.

The Petitions sent in to the Legislature—and were respectful; humble. Should we fall down upon our knees and kiss their feet? There

is no necessity for this; let the people know what we feel and what we think; that where there is wrong, we hate it; where right is, we love it; we cannot deceive the whites; they will know better if they give a thought to it, and in this resolution would see a lie.

Mr. George Gordon said—"One would think, from the remarks of gentlemen, that we were disposed to imitate "Bully Brooks," or some other Southern fire-eater. I am opposed to the course proposed by those gentlemen who would have us proceed with such a high hand, as though it were in our power to enforce rule or ruin. It becomes us to be cautious, in view of the circumstances of our position; we are soliciting the attention of the people to the injustice of the laws which deprive us of testimony, and our children of public schooling. When we shall go to the State House asking for the repeal of those laws, we shall petition respectfully. Let us not here adopt any language or deportment incompatible with our attitude as petitioners there, or that is likely to prejudice the success of those petitions."

Mr. Handy said—"The last clause of the resolution I am opposed to; but with the language respecting the progress of our country I agree, if it refers to progress in wisdom and righteousness. Righteousness exalteth a nation, while sin is a reproach to any people."

Mr. Townsend said—"I did not expect this resolution to pass without opposition, and perhaps alteration in its phraseology; the language of the resolution is plain; it is the unqualified statement of a fact, the connection between our actions and our words. We are interested in the progress of this nation; we are benefitted by her general progress in learning, in the arts and sciences, and in her material prosperity: there are men, a great number of whom care for nothing but wealth and power, the almighty dollar being their God; but there are also men who measure the greatness of a nation by its attainments in intellectual culture in science, in the arts, and in moral excellence; the growth and progress of a nation in its parts, the evil with the good is simultaneous. If this country has made progress in the amount of its Slave territory, the number of its Slave victims, the strength and scope of its bad policy, so has it made progress in knowledge, general education, religious toleration, moral science, in spreading the influences and developing the results of a high civilization.

In the former case, as we have suffered, we deprecate progress in that direction as going backward. It is the increase of the diameter of the circle at the opposite side. So in the latter case upon this side, we have been benefitted in many ways; there is such a thing as the world's public opinion; we have hope in the progress of the nations, each extending its influence as so many circles, cutting the plain of, and mingling with our own. Liberty, truth, and humanity, must and will prevail. By her general progress in all that is high and noble we are benefitted. I said there is a connection between the words of the latter part of the resolution and our actions; it is so. At home, by our firesides, we are patriots; we glory in the patriotism of our fathers, in the success of the American arms; even in the Mexican war, how many of our young men went with the American troops to that country and endured hunger, sickness, privation, and exposure of life, such as the army often endured.

Mr. Newby—In what capacity did they go, and from what motives?

Mr. Townsend—I am as sensitive as any one in regard to the groveling conduct of some of our people, and have ever been opposed to a certain sort of servile phraseology indulged in by them in their intercourse with the whites.

But let us make the case personal. How would we act in the event of an invasion, in our somewhat altered circumstances? In the last war colored men volunteered to drive the invader from the plantations. Invaders are not wont to respect private rights or regard private wrongs. As property holders, as fathers, as husbands, interested in the general observance of good laws, the preservation of social order, in maintaining inviolate the rights of property and the sanctity of home, how would we act? War is a state which suspends all laws except those established for its own efficiency. It is a very different thing from the practiced evolutions at the parade grounds, the ornamental drills in our thoroughfares. The spirit of war aroused, its maddening taste for blood, the wild excitement of license and passion: we do not expect to find in each soldier a Cincinnatus, a Scipio, or a Washington. Are we not interested in—should we not hail the progress of this nation? Yes! and in the hour of trial we shall act in accordance with this resolution."

Mr. H. M. Collins said—"It is not always right to wait for public sentiment before taking a position: it is better to go for the right and wait for public sentiment to come to it. Speaking of what we would do in case of an invasion, we may judge of the future by the past. At the time of the Mexican war, our young men at Pittsburgh held a meeting to decide upon the propriety of going to Mexico: the elder heads opposed the plan, and our Young America staid at home: but what was the fact? If we did not oppose Mexico directly, we did indirectly; it made the fact evident, too, that colored young men, under similar circumstances, are influenced by similar motives and feelings with the whites.

Mr. C. M. Wilson said—"Being on the Business Committee I wrote this resolution: all the resolutions that come from the Committee are not approved by them: it is their duty to arrange and present business, and it is for the Convention to take such action upon it as they may deem expedient or right: that can only be determined upon by the exchange of opinions. If gentlemen think that the adoption of this resolution will be productive of good, why not adopt it? For my own part I think it will, because it is conciliatory and in harmony with the popular American view of things."

Mr. Dettter said—"Let us proceed to take the vote upon this resolution. There are, probably, many gentlemen who are in favor of it without alteration, while others regard it as stating what is not true, who would modify or reject. Let us now dispose of it."

Mr. J. Francis proposed to amend, by striking out all the words after "sympathise with it in its adversity."

Mr. Ferguson said—"Upon the whole, I like the resolution as it is; in dealing with enemies, my course is to oppose them with their own weapons: knife against knife, pistol against pistol: still, gentlemen, it cannot be denied, that we are surrounded by peculiar circumstances; while acting in the midst of enemies, it is necessary we should be politic.

Much has been said of progress; what is progress? It is to go forward to the light before us to new and higher ideas: for example, his-

tory and experience show us the defects of old customs, manners, and institutions, and also prove their excellencies. Progress is to reject the evil, to accept the good, and go forward trusting in development. Infinite power and wisdom has established the laws of progressive development; we limit that power and wisdom when we doubt the possibility of progress beyond present attainments. The difference between the Feejee Islander and Daniel Webster illustrates progress; so there is improvement all the way from the lowest barbarism to the highest point of present civilization, and beyond, interminably.

Republicanism is progress from the old politics. New York and Ohio were thoroughly pro-slavery; their late political action is the result of progressive ideas; it is the kind of progress we hail: and there is a propriety in our saying it to the world as showing that we see, weigh, and appreciate it.

Again, why should we not declare our readiness to defend our country against foreign invasion? We claim this as our country; the love of our native land: as it is a duty, so it is natural; we feel its power and acknowledge its obligations; wrongs I know are inflicted upon us, but we are struggling for right, strong in the hope that it will prevail; in the trial hour, as our fathers did, we would again prove the justice of our claims, and no sooner refuse to defend our country than the whites. It is, indeed, simply the defence of our bread and butter; to this point it comes at length.

The vote upon the amendment of Mr. Francis being called for, was taken, and the amendment adopted.

Mr. Barbadoes moved to re-commit the resolution—motion lost.

Mr. Ferguson moved to adopt the resolution as amended.

The vote was taken with the following result:—Ayes, 27; Noes, 29.

Resolution No. 5 being read, was, on motion of Mr. Newby, re-committed, for the purpose of altering its phraseology.

Resolutions 6, 7, and 8, were also re-committed.

Resolutions 9, 10, 11, and 12 were read and adopted.

Resolution No. 13 was again read, pending a motion to adopt.

Mr. Newby said—"I hope this resolution will be re-committed, and the Committee instructed to erase the word "Mulatto," from it. Such a word ought not to be used in application to any class of men; it is of Spanish origin, false in its signification, referring, as it does, to the mule. If it simply means cross mixture, the word will apply with equal propriety to the mixture among other divisions of the race, without a drop of African blood in their veins."

Mr. Townsend said—"I do not perceive, in the remarks of my friend, Mr. Newby, any good practical reason for discarding the word "Mulatto:" it is commonly used to designate a class; the public are familiar with it, and so are we: as generally used no opprobrium is intended, besides it is the term used in the Statute; to have it erased from the Statute, is, indeed, the object for which we are laboring. I trust this resolution will be adopted as it is."

The hour of 2 o'clock having arrived, the Convention adjourned to 4 o'clock.

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| J. B. Sanderson, | } Secy's. |
| F. J. Vosburgh, | |
| S. Howard, | |

AFTERNOON SESSION.

SECOND DAY.

At 4 o'clock the President called the Convention to order, and prayer was offered by the Chaplain.

Minutes of the Morning Session read and approved.

Resolution No 13, of the series, reported by the Business Committee, pending at the adjournment of the Morning Session, again read.

Mr. Henry moved its adoption—carried.

J. H. Townsend moved that Mr. Isaiah Gibbs, of Placer county, be invited to take a seat in the Convention as a member—motion adopted.

The series of resolutions presented by Mr. S. Howard, at the Forenoon Session were taken up, on motion of J. Hubbard, and referred to the Business Committee.

Mr. P. Anderson asked leave to read a series of resolutions—granted. Mr. Anderson's resolutions related to the establishing, conduct, and support of a State Press.

J. Francis moved that the resolutions of Mr. Anderson be referred to the Committee appointed to report upon the subject of a State Press—carried.

Mr. Francis thought it would facilitate business, if gentlemen wishing to present resolutions would place them in the hands of the Business Committee, and let them come before the Convention through that medium.

Mr. Newby read an article from the *Sacramento Spirit of the Age*, of December 10th, as follows.

CONVENTION OF COLORED MEN.

This body met yesterday morning in the Seventh street African Methodist Church, and after electing officers, etc., adjourned until the afternoon. Nothing of importance occurred in the last session. They met again this morning: there were about one hundred persons in attendance, and a more decent appearing body of men we have not seen any where together.

The Rev. Mr. Moore, acting as Chaplain, initiated the proceedings with prayer and the reading of Scripture, making practical application of certain passages, by a few piquant remarks as he went along. The elocution of the speaker was very distinct and natural, contrasting strongly with the nasal mannerism quite common in the pulpit.

The article elicited expressions of gratification from several gentlemen, and was approved by all.

Mr. Francis read resolution No. 14, *Resolved*, That hereafter, all matter extraneous and foreign to the three great objects set forth in the call of this Convention be suppressed. This resolution was adopted.

Mr. George W. Booth presented a resolution as follows:

Resolved, That this Convention adjourn *sine die*, to-morrow, (Thursday) afternoon, at 2 o'clock—not seconded.

H. M. Collins, chairman of the Committee appointed to examine into and report upon the facts in the case of Placerville, in accordance with a resolution passed at the Morning Session, presented the following

REPORT.

In respect to the charges brought against Placerville, your Committee beg to say that it is ascertained that the sum of \$146 was raised by the ladies of Placerville, with the understanding it was to be sent to the State Executive Committee, to be used by them in carrying out the purposes of the Convention last year. This money was deposited for security in the hands of Armistead Pollock, of El Dorado county.

During the present month, when the people of Placerville met in public meeting to appoint Delegates to attend this Convention, a proposition was made to send four Delegates.

Another proposal was made to take funds from the amount collected last year to pay the expense of those Delegates.

A majority of the citizens decided against this last proposal, and finally decided to send none.

The party in favor of using the \$146 being thwarted and disappointed, hastily called a meeting on Saturday, Dec. 6th, at the unusual hour of 9 o'clock, A. M., got possession of the money, and voted to divide the same among the twelve ladies who had collected it, which was done accordingly.

Among those who voted for the division were William Quinn, George Anderson, James Butler, F. Lawrence, J. Smith, C. Smith, J. Moss, P. Williams, Ray, Abernethy, etc.

Messrs. Quinn, Butler, Anderson, and Lawrence, were nominated as Delegates.

Such are substantially the facts in the case of Placerville, as interrogated by your Committee: H. M. Collins, E. A. Booth, Richard Hall, C. M. Wilson, William H. Thomas.

The report was accepted, and ordered to be placed on record.

The Committee on Education was called upon to report.

N. Henry, chairman of that Committee, stated they were not yet ready to report; he requested that Delegates would give in their statistics, and asked for further time.

Mr. Phelps, of the Finance Committee, presented a resolution from that Committee.

Resolved, That each Delegate be assessed in the sum of \$2 50, to defray the expenses of the Convention.

Mr. Hayne proposed to amend by substituting \$4 each.

Messrs. Francis and Thomas supported the amendment, and Messrs. Newby, Moore, and Wilmot opposed it.

Mr. Henry moved to refer the whole question of the assessment of members, back into the hands of the Committee of Finance—carried.

C. M. Wilson, of the Business Committee, introduced resolution No. 16, *Resolved*, That one Delegate from each county be appointed to collect funds in his respective county; said funds to be placed at the disposal of the State Executive Committee, and that each person so appointed by this Convention, be authorized to appoint others in the different precincts to collect funds therein for the same purpose.

Mr. Townsend proposed to amend resolution 16, and appoint two in each county—amendment accepted.

Mr. Phelps wished to amend still further; he thought the Convention should appoint four in each county.

Mr. Harper was in favor of referring this resolution back into the hands of the Business Committee, with instructions.

Mr. Newby said—"The Business Committee are not compelled to report back resolutions so referred; they are often otherwise disposed of; we had better act upon this question now."

Mr. Anderson thought gentlemen were wasting time in the discussion of a matter of so little importance. He moved to lay resolution 16, with the amendment of Mr. Phelps, on the table.

The motion was seconded and carried.

Mr. T. Detter, in behalf of Mr. Hyer, offered resolution No. 17, *Resolved*, That this Convention appoint one person in each county to distribute Petitions, and direct the circulation of the same for names, to be presented to the Legislature during the approaching Session. Voted to refer to the Business Committee.

Mr. F. G. Barbadoes offered, in behalf of F. Hatfield, the 18th resolution, "That we recommend the printing of 1,000 copies of the proceedings of this Convention, and that each Delegate be furnished with five copies. Referred to the Business Committee.

George W. Booth moved that a committee of three be appointed on publication.

J. M. Flowers suggested the propriety of appointing five instead. Voted to lay the matter on the table.

Mr. Henry offered a motion to appoint a Committee of seven, to present a report on statistics—motion adopted.

The Chair appointed the following gentlemen:—P. Anderson, E. A. Booth, John Buckner, James Hubbard, David Lewis, Frank Hatfield, Minor J. Brown.

Mr. Newby expressed the hope that the Committee, in making up the statistics of the colored people, would accept no vague and uncertain statements: certainly none will be published.

Mr. Anderson remarked that verbal statements were received last year, and when they are reliable, there can be no objection to receiving them.

Mr. Henry said—"In Tuolumne county we have been particular in collecting our statistics. Delegates and the public may rely on their correctness when published.

Mr. G. W. Booth read a resolution as follows:

Resolved, That this Convention adjourn *sine die*, at 3 o'clock, to-morrow afternoon, and that we hold but one session to-morrow. It was tabled.

The chairman of the Business Committee again reported resolution No. 17, of Mr. Hyer, amended with the proposition to appoint four persons in each county to circulate petitions—voted to adopt.

The meetings of Committees were announced, and with benediction, the Convention adjourned to Thursday morning.

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| J. B. SANDERSON, | } Secy's. |
| F. J. VOSBURGH, | |
| S. HOWARD, | |

THIRD DAY'S PROCEEDINGS.

MORNING SESSION.—DEC. 11TH, 1856.

At 10 o'clock President Hall called the Convention to order.

The XIXth Psalm was read, and prayer offered by the Chaplain.

The Rules of the Convention being called for by R. H. Hall ; they were read by the Secretary.

The Chairman of the Business Committee reported a series of resolutions, as follows :

Resolved, That we recommend the immediate printing of petition heads, to be furnished to the members of the Convention.

Whereas, The Constitution of this State denies us the right of suffrage, the only safeguard of a free people, and

Whereas, We believe such a course is not only unjust, proscriptive and cruel, but inconsistent with the spirit of our Constitution, based, as it is, upon the doctrine that all men are created free and equal ; therefore

Resolved, That we will use all lawful means in our power to secure the abrogation of the provision which deprives us of this right.

Resolved, That as a means of elevating themselves, we recommend to the colored people of California, the engaging in agricultural pursuits ; also, the cultivation of a knowledge of the arts and sciences, believing it would tend to dissipate prejudice and proscription, by establishing the fact of our ability to compete with our oppressors in those branches requiring practical skill, ingenuity, and high intelligence.

Resolved, That we deprecate the excessive use of intoxicating liquors, and the practice of gambling, and recommend the adoption of some means calculated to suppress those vices, believing they tend to degrade and impoverish those who indulge in them.

On motion of Mr. Gordon, the report was accepted.

Voted upon the motion of Mr. Geo. W. Booth, to adopt, seriatim.

First section, No. 19, adopted, on motion of G. W. Booth.

Second section, the Preamble and Resolution No. 20, adopted on motion of W. H. Thomas.

Third section, 20th resolution, adopted on motion of F. R. Carter.

Fourth section, resolution No. 21, on motion of J. M. Flowers, was adopted.

Fifth section, adopted on motion of W. H. Hall, of El Dorado.

Of Preamble and Resolution No. 20, N. Henry is author ; of 21 and 22, J. M. Flowers.

The report having been adopted, J. J. Moore expressed himself as much gratified at the progress the Convention had made in the adoption of so many excellent resolutions ; the only thing he regretted was, that resolution No. 22 had not been couched in language more strongly condemnatory of intemperance and gambling among the colored people ; he felt deeply, and hence expressed himself in emphatic language when speaking of these evils. He hoped the time would soon come when they would be eradicated from amongst us.

F. G. Barbadoes, Chairman of the Finance Committee, reported progress. Finance Committee instanced on motion of H. M. Collins to adopt such measures to raise funds for the expenses of the Convention as they deem for best.

The report of a Committee on a State Press being called for, W. H. Newby, chairman of that committee, stated that they were not ready to report.

Committee to report upon the subject of Education called for : Mr. Henry, its chairman, said the committee had not completed its report.

Mr. Townsend thought as the committee were not ready with their report, it would be a waste of time simply to introduce a resolution at this stage.

The President decided that it was Mr. Henry's right to read the resolution, being germane to the subject given to the committee to report upon to the Convention.

Mr. Newby—Is the resolution a part of the report of the Committee on Education ?

Mr. Henry—Yes ; I have put the resolution in the hands of the Business Committee ; I hope it has not been lost ; the friends may deem me ultra, but the resolution embodied the views of my constituents, and if not carried out, I desire to have them briefly and, in that way, presented before this Convention, if for no other purpose than to send an expression of opinions thereon.

Mr. C. M. Wilson presented the resolution of Mr. Henry, which contained a suggestion touching the propriety of securing, at an early day, the purchase of a portion of the public lands for the erection of a College and Manual Labor Schools thereon, for the benefit of the colored people.

Mr. Geo. Miller moved the adoption of the resolution.

Mr. Henry said :—Before the resolution is disposed of, I desire to make a few remarks, pertaining to the Committee on Education ; the reason the Committee have not reported is, they have been unable to command the necessary statistics ; we early proposed a resolution that delegates from the counties collect and bring in the required information ; let the public see the facts ; the numbers, the business, the taxes, and the general claims of our people ; let the facts go out to the confines of the State ; it would remove prejudice from the minds of the whites, and encourage the colored people. In this early point of the history of our State, we should commence efforts to secure to our children the advantages of education. It is a source of pride and encouragement to me, that we have now amongst us men of talent and education, who have enjoyed the benefits and honors of Oberlin. Why should we not have an Oberlin here, in this State ? There is now no school of that class ; is it a reason we should have none ?

Sir, I may be thought extravagant and ultra, but I have labored for this, and hope to see the day when I shall be permitted to assist in laying the first stone in the foundation of such an institution ; what so important in, and necessary to our elevation, as education ? We have seen and felt a thousand times this fact, this sentiment ; here are men of education, who have settled in California permanently ; they are taxed :—

Mr. Newby raised a point of order ; he thought Mr. Henry was wandering from the points of the resolution.

Mr. Henry :—I don't wish to take up the time unnecessarily ; my argument grows materially out of the resolution.

Mr. Newby :—I move to refer this whole matter back into the hands of the Committee on Education, with instructions to report through the columns of the *Mirror*.

Messrs. Wilson and Hubbard also thought that the best way to present the subject to the people, in detail, and with the statistics.

The vote being called for upon Mr. Newby's motion to refer the subject

to the Committee on Education, with instructions, etc.,—the motion was lost.

Mr. Geo. Miller moved the adoption of Mr. Henry's resolution.

Pending this resolution Mr. Townsend said :—I am sorry to see such a visionary and impracticable scheme thrown into the Convention, only calculated to divert the attention from the particular object to promote which, we have convened.

Colleges and Manual Labor Schools, are excellent things in themselves, and it is well enough to discuss their merits at the proper time and place, but what have we to do with them now ? Why lug in such matters as the Oberlin College ? What have we to do with anything like a College in our present circumstances ? These are such institutions as are required by a people surrounded by the conditions of an old settled and well regulated society, with wealth, leisure, inclination, and the demand for high culture.

The proposal to establish a College proposes also, that those whom it is to benefit, have advanced beyond and above the endowments of public schools.

Sir, we are not able to sustain the cost of building a College ; the pecuniary embarrassments which hung over Oberlin, like a dead weight, for years, should deter us here from attempting such a scheme, in the present circumstances.

Mr. Wilson doubted a general statement of Mr. Townsend as to the cost of Oberlin College.

Mr. Townsend :—The gentleman is a graduate of Oberlin, and naturally feels, at remarks touching his '*alma mater* ;' although I have not been to that institution, I know something of its cost : It cost, at least, a million of dollars.

The whites are now trying to establish a college, but, with all their efforts they cannot succeed at present ; how much less are we likely to succeed ? It is folly for us to talk of it. Let us first secure the removal from the Statute Book the law which deprives our children of common schooling, and get them into the Common Schools. I feel as deeply interested in the education of our children, and in the high intellectual culture of our people as any one ; but this proposition I hold to be utterly impracticable at present, and I hope it will not be adopted.

Mr. Wilson :—I differ from the gentleman who has just spoken ; he does not appear to understand the spirit and purport of the resolution, nor the motives of the party who offered it. We do not ask that immediate measures be taken to carry out the views of the resolution—we do not expect this. The object was to get an expression, as a part of the report of the Committee on Education ; if the Convention thought favorably of it, they would, by their approval, initiate the subject.

Mr. Lewis said—In some respects I agree with Mr Henry, and I was pleased at the general tenor of his remarks ; but, as in the present circumstances of our condition it is evidently impossible to carry out such an enterprise, I hope the resolution will not be adopted.

Mr. Gordon moved to lay the subject matter on the table—carried.

Mr. R. Hall moved to suspend the 8th rule, relating to the time allotted to speakers.

Mr. M. S. Haynes, to bring the question more formally before the Convention, presented the following Preamble and Resolution :

Whereas, Much useless discussion has arisen upon trivial subjects, thereby retarding the proper business of the Convention, therefore

Resolved, That no person shall be allowed to speak longer than five minutes, nor more than twice upon the same subject, without special permission from the house.

This resolution was adopted with but few dissenting votes.

Mr. Hall, of El Dorado, moved that the State Executive Committee be called upon to make their report.—Carried.

Mr. Townsend, Chairman of the State Executive Committee presented a verbal report.

Mr. Newby asked if the foregoing was to be regarded as the official report of the Executive Committee? Is this all we are to get from them? if so, then the Committee have been greatly remiss in their duty.

It devolves upon this Convention to appoint a new Executive Committee; that new Committee, when appointed, should receive the books and papers from the hands of the old, as a chart by which, to some extent, they are to be regulated in future efforts, in proper condition. It is due the Committee that it should have a more formal report.

Mr. Townsend stated that the books of the Committee were in the possession of the Recording Secretary, Mr. E. P. Duplex, of Marysville; that much to the regret of all, and the disappointment of the Committee especially, he had not attended the Convention.

Mr. Barbadoes moved that a dispatch be immediately sent for the books of the Executive Committee.

Mr. Anderson thought the report was satisfactory; as a member of the Executive Committee he would defend it. If the motion to send a dispatch for the books was intended as a reflection upon that report, he was opposed to the motion.

Mr. Hall, of El Dorado:—It will be impossible for us to proceed to the appointment of a new Committee unless we have a detailed report of the action of the old.

W. H. Thomas did not see why the Executive Committee should hesitate about having the books examined. The report of Mr. Townsend is well enough as far as it goes, but it is not practicable enough.

Mr. Moore thought Mr. Anderson mistaken in the motives of those who are in favor of sending for the books; it is not that we are dissatisfied with the management of the Committee—they have done well. We had looked forward to their report, before this Convention, as one of the most important. That which was presented verbally was good, but let us now see the records.

Mr. Harper moved to lay this subject on the table.—Carried.

The vote was then taken upon the motion of Mr. Barbadoes to send a dispatch for the Books of the Executive Committee, and the motion was carried. The following letter having been received by one of the Secretaries, from Mrs. Jane R. Fortie, of Placerville, was ordered read:

PLACERVILLE, Dec. 9th, 1856.

MR. SANDERSON:—I have felt it to be my duty to forward to the State Executive Committee, through you, the proportion of the \$146 belonging to the Committee, which was paid to me by Mr. Quinn. In sending it I hope I have done my duty. I am not able to say anything about the rest of the money. The amount paid to me, and which I send is \$11. In addition, I send one dollar as a slight contribution to the cause, making \$12.

Yours for the cause, JANE R. FORTIE.

This letter was, by a vote of the Convention, ordered to be placed among the proceedings.

Mr. Geo. Miller moved that the thanks of this Convention be tendered to Mrs. Fortie for her just and honorable conduct in the matter of the funds collected at Placerville for the State Executive Committee. The motion was unanimously adopted—the Delegates rising in their seats, voted that the Secretary inform Mrs. Fortie of the receipt of her letter with the money, and the action of the Convention upon the same.

An expression of thanks was tendered the ladies of Sacramento for their proposal to assist the "*Mirror*."

Minutes of the last meeting again called for and read by the Secretary.

Voted to take up the subject of appointing persons to circulate petitions; four in each county, according to resolution, No. 17, and proceeded to appoint as follows:—

Amador County—D. Wills, W. J. Bird, Mr. Kenedy.

Alameda County—William Rich, Isaac Flood, John Peterson.

Butte County—W. H. Holmes, Peter Blackstone, James Allen, R. Tilghman.

Contra Costa County—Matthias Cooper, Wilson Freeman.

Calaveras County—G. Brooks, William Hough.

El Dorado County—A. Collins, H. W. Hall, E. R. Phelps, F. Hatfield.

Los Angeles County—Thomas J. Ricks.

Marin County—Aaron Sisco, I. Morton.

Merced County—Manuel Quivas.

Mariposa County—Stephen Hilman, Joseph Adams, L. A. Munroe.

Napa County—H. M. Pennington, Jacob Sinclair, E. Halton.

Nevada County—Jordon Casely, James H. Hubbard, Edward A. Booth, Emory Waters.

Placer County—James Howard, Isaiah P. Gibbs, Joseph G. Underwood, — Dudlop.

Sacramento County—J. B. Star-

key, David Lewis, Thomas Detter, F. G. Barbadoes.

San Francisco County—W. D. Moses, George W. Gordon, M. W. Gibbs, H. M. Collins.

San Joaquin County—W. C. Patriek, Rev. M. Campbell, Wm. Robinson, Samuel B. Hyer.

Sierra County—John Black, D. Brown, J. J. Butler.

Stanislaus County—T. W. Burgess.

Sonoma County—Elisha Banks.

Shasta County—J. J. Pindall, E. D. Vincent, Charles W. Hall, Thos. Thomas.

Siskiyou County—Samuel Kune, George M. Johnson, Benjamin Franklin, Nathan Furbert.

Santa Clara County—Alfred J. White.

San Mateo County—R. Hall, Thos. Forrester.

Tuolumne County—H. T. Smith, R. Banks, J. D. Guillard, A. Oldham.

Trinity County—J. D. Milling.

Yuba County—E. H. Duplex, G. R. Symes, J. Francis, A. Jackson.

Mr. Barbadoes referred to a remark of Mr. Townsend, respecting the conditions of the petitions last year, when sent to the Executive Committee, and offered a resolution, as follows:

Resolved, That this Convention request those who circulate petitions for signatures to be presented to the Legislature, to forward the same to the Executive Committee in as clean and proper condition as may be practicable.

Mr. Townsend seconded this resolution, and said :—It is desirable in circulating petitions, to secure the names of those who are esteemed our best men. There are names that have but little weight, being those of persons obscure, and often unknown beyond the immediate circle in which they reside.

In San Francisco we took especial pains, and obtained upwards of 500 signatures of our most prominent and influential citizens. The result was our petition was received most readily, and most respectfully.

Mr. Henry :—Are petitions to be signed only by the whites ?

The vote was taken upon the the motion to adopt resolution No. 24, and it was adopted.

Mr. S. Howard asked leave to make a request of the Convention, viz. : That the Convention appoint a time before it adjourns *sine die*, to give him an opportunity to deliver his address.

Mr. E. R. Phelps moved that Mr. Howard's request be granted.

The vote was taken upon the motion of Mr. Phelps, and the President declared the motion negatived. Mr. Phelps doubted the decision ; vote re-taken with the following result :—Yeas, 13 ; Nays, 27.

Resolution No. 25 was presented by T. Detter, as follows :

Resolved, That those persons appointed under the 17th resolution to circulate and obtain signatures to the petitions, be instructed to send them in to the State Executive Committee by the 20th day of January, 1857.

Mr. Detter's resolution was unanimously adopted.

Mr. G. W. Booth renewed the motion which he proposed yesterday afternoon, that a committee of three be appointed on publication. The motion was seconded. Mr. Townsend proposed to amend by appointing five. Amendment accepted, and the motion to appoint adopted.

The Chair subsequently announced the following as a Committee on Publication :—J. B. Sanderson, J. J. Moore, J. H. Townsend, G. W. Gordon, W. H. Newby.

It was moved by Mr. E. A. Booth, that a committee of three be appointed to prepare an address to the colored people of this State, upon the subjects of Agriculture and Mining, and the benefits to be derived from the same. This motion was amended, at the suggestion of Mr. Francis, who proposed five on the committee, and was adopted.

The Chair appointed the following gentlemen :—Messrs. J. Francis, E. A. Booth, S. B. Hyer, E. D. Vincent, and J. Hubbard.

Mr. Henry presented a motion, that a committee of five be appointed to prepare an address to the white people of California.

Mr. Francis proposed to amend by striking out the word "white."

Mr. Phelps was opposed to the amendment, he said :—Why have we met in this Convention ? To adopt measures to secure a redress of our grievances. It is to the whites who have passed the laws which oppress us. Why then should we not address ourselves to them ? As we desire they especially should know our opinions and our wishes. Let this word be retained.

Mr. Detter :—A resolution has already been adopted, in which similar language is used in reference to appealing to the whites ; and yet it is proposed to strike the word out of Mr. Henry's resolution, to be consistent the Convention should reconsider, and throw out a former resolution.

Mr. Anderson favored the amendment of Mr. Francis. He was generally opposed to the use of such words when speaking to the people. Let us, said he, claim to be men, neither more nor less, and when asking that

justice be done us, as we contemplate asking at the hands of the people of California, let not the word white be retained in the connection.

Mr. E. Waters :—It is essential to a good understanding of the matter, that, in an address to the public generally, we should retain this word ; we want to appeal to the whites specially, to let them know we mean something definite. They have got the power ; we know it—they know it ; we appeal to them as whites, to use that power beneficently towards us ; we must appeal to them as superiors.

The President announced that the hour of adjournment had arrived, and benediction having been pronounced, the Convention adjourned until afternoon.

AFTERNOON SESSION.

THIRD DAY.

Met at 4 o'clock, President Hall in the Chair ; prayer was offered by the Rev. Emory Waters.

The minutes of the previous meeting were read and approved.

The subject of Mr. Henry's motion to appoint a Committee to prepare an address to the white people of California, was taken up, with Mr. Francis' proposed amendment to strike out the word "white."

Mr. Henry thought it proper to designate the persons addressed.

Mr. Townsend proposed as an amendment to Mr. Francis' amendment, the following resolution :

Resolved, That the State Executive Committee, be authorized to prepare an address to the citizens at large of this State—setting forth the true character and position of the colored people of California.

Mr. Ferguson thought the resolution of Mr. Townsend could not be accepted, in order, as an amendment ; but as a substitute, it could : he read from Jefferson's Manuel, to illustrate.

Mr. Newby did not agree with Mr. Ferguson : he thought the language of Mr. Jefferson, upon the point speculative, indefinite and unsatisfactory.

Mr. Moore thought it better to retain the word white.

Mr. Townsend opposed its retention ; we have met as a convention of colored men, and there will be, no doubt, in the public mind, as to whom we address. He hoped no more time would be consumed in discussing a word.

The vote was taken on the motion to adopt Mr. Francis' amendment, and was lost.

Mr. Phelps moved the reference of the subject proposed in Mr. Henry's motion, to the State Executive Committee, with instructions to prepare an address to the white citizens.

Mr. Phelps' motion was adopted by the following vote :—yeas, 27 ; noes, 24.

The Committee appointed on the subject of a State Press, presented the following, prepared by Mr. Ferguson :

REPORT OF THE COMMITTEE ON A STATE PRESS.

As consolidation of interest and oneness of purpose are the surcest

guarantees of success, the Committee, to whom was referred the duty of reporting the best mode of conducting a State Press, beg leave to report the following:

First, That the *Mirror of the Times* be adopted as the State Organ of the colored people of California.

Second, That its size be reduced one-fourth.

Third, That it be under the immediate control of the State Executive Committee, and be supported by the General Fund.

Fourth, That the Executive Committee have plenipotentiary powers to levy such contributions on the people of the different counties in pro-rata to the population of the respective counties, as may be necessary for the successful publication of the paper.

Fifth, That the financial affairs of the paper, both in receiving and disbursing, be wholly under the control of said Committee, or such persons as they may select for that purpose: said Committee at all times responsible to the source whence they derive their authority for the prompt and faithful performance of the functions of their office.

Sixth, The place of publication shall be San Francisco,—the periods of publication, weekly.

Seventh, There shall be one general editor, and one associate, located in the place of publication, whose salaries shall be respectively seventy five dollars per month.

Eighth, The Committee shall have power to appoint corresponding editors in different sections of the State, as their discretion may suggest, whose labors shall be accredited as "labors of love."

Ninth, The financial condition of the paper shall be published in the *Mirror*, quarterly; and all monies received either from subscribers or pecuniary contributions, be accredited weekly in the same.

Data. The Committee find the cost of publishing the *Mirror of the Times*, in its present size, (exclusive of the pay of editors to be, per month,

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| Editors to be, per month, | \$200 00 |
| Allowing one hundred dollars each to the Editors, | 200 00 |
| Rent of offices, fuel, lights, stationary, &c., per month, | 25 00 |
| | <hr/> |
| Total, per month, | \$425 00 |
| Reducing the size of paper one-fourth, | 60 00 |
| | <hr/> |
| Making cost of the paper so reduced, | \$365 00 |
| <i>Account Debtor per Contra</i> , Estimating the reliable circulation of the paper at 500 copies per month, at 40 cents per month will yield, | \$200 00 |
| Profits from advertisements, local notices, &c., | 75 00 |
| | <hr/> |
| Account credit, | \$275 00 |
| The above estimate leaves a deficit per month of, | 90 00 |
| Or per annum of, | 1,080 00 |
| All of which is respectfully submitted.—Accepted. | |

Mr. Henry moved to adopt the report by sections,—carried.

The first section being again read, pending a motion to adopt, Mr. Anderson said: This Convention ought to assume the ownership and responsibility of sustaining the *Mirror*, as the first step, and then take

the entire control of its financial affairs, and see to it, that this department is properly conducted.

Mr. Ferguson:—In making this report, we seek the public good. Mr. Anderson is right in proposing caution: look well into the plan before you adopt. In regard to the conductors of the *Mirror*, thus far, their characters and their management have been above reproach; let us place a proper estimate upon them. We often fail in our efforts, from distrust of our leaders: let us presume them honest, at least, until they prove otherwise. A continual fear and suspicion is our bane: either let us sustain and uphold the hands of those, who, possessing ability, a generous love for, and devotion to the right, are giving themselves to labors for our good, or cease our complaints against the popular wrongs of which we are victims: cease to meet in Convention to devise plans for their removal, or elsewhere to parade our professions of anxiety to become a free and respected people.

Mr. Anderson:—It was not my intention to impugn the motives or character of any one. I have all confidence in those gentlemen who have had control of the *Mirror*; what I want, is, that this Convention of the people, will decide to take the paper as their own. At present it has neither father or mother; it is an orphan; let this Convention adopt and become its foster parents, and provide for its permanent maintenance. Mr. Anderson proposed an amendment, i. e., that this Convention assume the proprietorship of the *Mirror of the Times*, and at once adopt measures to raise the means to carry that resolution into effect.

Mr. Collins:—It was the expectation of the Publishing Committee when they commenced the paper, that it would, at length, come into the possession of the people.

Mr. E. A. Booth agreed with Mr. Anderson's resolution, and thought it the better way for us to become possessors of the paper, and then go to work and accomplish the details.

Mr. E. Waters:—The information just communicated, is new to me: I did not know the originators of the paper meant it should become the property of the people through this Convention. What are we to pay? what new taxes are to be imposed upon our people? if my constituents agree with you, they will go to the bed-rock to sustain you.

Mr. Wilson called for the question on the amendment as proposed by Mr. Anderson.

Mr. Townsend thought the amendment was substantially the same thing as the 1st Section proposed by Mr. Ferguson: it is perhaps a little more definite. Now, as to the facts in regard to the *Mirror*, it has never yet been made to pay expenses. Established in some haste, from the conviction that such an instrument was imperatively necessary, up to the present, all the means which have been received, have been paid over to the printers. But this state of things cannot last: from the first, we have expected efficient aid from the people, whose cause it was established to advocate.

At the Convention last year, a Committee was created to report on the propriety of establishing a press; the *Mirror* is the effect of the causes, or necessities of our condition in this State as intimated in the report of that Committee: necessities which are demanding our attention more forcibly every day.

The colored people, resident in California, must represent themselves;

we wish now to know,—will you assume the *Mirror*? What we have done as its publishing committee, as its editors, has been done freely: we have desired and still desire to see this enterprise succeed, and are willing to do what we can to promote its success: let the people now decide what they will do with it.

Mr. Harper:—I think the *Mirror* is a very important instrument; it should not be permitted to go down by any possibility. Let us not hurry over this subject. I am in favor of the 1st Section, and in order to give ourselves time for a fuller consideration of the subject, hope it will be referred again to the Committee.

Mr. W. D. Moses:—I rejoice at this manifestation of interest in the paper. I have labored to extend its circulation, believing it was accomplishing a good work. Somewhat acquainted with its financial condition, I can testify to the correctness of Mr. Townsend's statement; that it has been expensive and sometimes burthensome to a few. The ladies of San Francisco, have lately come to the rescue: they have formed a *Mirror* Association, and are aiding in keeping it alive; and for their efforts, they deserve great credit.

Mr. Newby:—It is true, an association of ladies has been formed in San Francisco, but their aid is necessarily uncertain: a permanent means of support is required. It is not only the labor of the composition and pressman that must be compensated, but the time, talent, and labors of its editors: these cannot be given. As for San Francisco, with a large population of colored people, she has not contributed as liberally towards the support of the paper as we anticipated. Inland localities have done more in proportion to numbers: the question now is, shall the *Mirror* live?

The vote was taken upon the adoption of the amendment proposed by Mr. Anderson, and it was carried.

The question recurred upon the adoption of the 1st Section as amended, and it was adopted.

2nd Section of the report was read: a motion being made to adopt it, Mr. Phelps said that he was sorry that a proposition was made to reduce the size of the *Mirror*: he was for progressing and not for going back. He was poor, but felt willing to make a sacrifice rather than have the size of the paper cut down.

Mr. Newby:—I would like to have the present size retained, but this cannot be: not alone its permanency, but the life of the *Mirror* is in danger. Let us secure that, and place it upon a firm and healthful basis. If this paper were to fall, it would be a disgrace to us: who would not regret and mourn such an event? I am not generally very sanguine, and even now have my fears,

Mr. Ferguson proposed as an amendment to the 2nd Section, that the determination of the question of the size of the paper be left to the Executive Committee.—amendment adopted.

3d Section of the report read. Mr. Wilson made a motion to adopt, pending which, Mr. E. A. Booth said, it will be better to create a Special Committee, independent of the Executive Committee, to attend to the financial affairs generally of the paper.

Mr. Ferguson said—As the author of the report, I will state the meaning of this section. We presume the Executive Committee will appoint, from among their own number, a special committee, to whom

will be assigned the responsibility of devising ways for the management and sustainment of the paper.

Mr. Francis said—It will be a disgrace to let the *Mirror of the Times* go down; how far our constituents will sustain us in this action I cannot say; it is certain that our friends of San Francisco deserve great credit for their enterprise and energy; I take pride in according it on all proper occasions; now that we have adopted this child, let us assume the duties of a parent, take it by the hand and lead it to the Goddess of Liberty, and have it baptized; for heaven's sake don't let it go down; I trust the people are ready to become its sponsors.

The hour of adjournment having nearly come, Mr. Haynes moved that so much of Rule 2d as relates to adjournment of the P. M. Session, be suspended—carried.

Moved by Mr. Haynes to extend the hour for adjournment to eight o'clock, P. M.—carried.

Mr. D. Lewis said—I am a friend to the paper, and go for supporting it; the changes we are seeking in the laws for the sake of common security of life and property must be effected through it, and as the result of an altered public sentiment; to produce this latter, we greatly need a paper; it seems, then, as clearly my duty to support the paper, as to labor for my daily bread; but I do not agree with the plan now before us; I think a better way would be to purchase a press. Have we not confidence in those who sent us here? Let each member pledge himself for his constituents, and thus a sum might be immediately raised, placed in the hands of a committee for that purpose appointed, and a press at once purchased; you could employ colored printers; I know there are several whose services could be obtained—now in other employment, because they cannot procure business with white printers.

The Convention took a recess of ten minutes, during which the choir, attached to the Church, assisted by several of the Delegates, sang an anthem in fine style.

Resuming, Mr. Wilson proposed a substitute to Section 3d, as follows: "The *Mirror of the Times* shall be placed under the control of a Board of Trustees, to be appointed by this Convention." He said—to-morrow I shall go in favor of appointing a committee to raise funds for the *Mirror*.

Mr. Townsend hoped that gentlemen would endeavor to avoid complication in their arrangements; let the machinery be as simple as may be.

Mr. Ferguson said—Gentlemen may rest assured, that if this paper is controlled by the Executive Committee, they will use it to promote solely the success of the general cause.

Messrs. Moses and Dettler were in favor of the Board of Trustees.

H. W. Hall, of El Dorado, hoped no measure would be urged that would work against its prosperity; as to failure, the moral effect of such an event would be hurtful in the extreme.

Mr. Wilmot said—As a Delegate coming from Michigan Bar, he would say for the people of that locality, that they feel a deep interest in the continuance and success of the *Mirror*; they have done something and will do much more for it; they instructed me to go in favor of whatever plan should appear to be right, and most likely to keep it alive; their language was "sustain the *Mirror*."

Mr. Haynes offered the following, as amendatory to the substitute proposed by Mr. Wilson, to Section 3d, "The money placed in the

hands of the Executive Committee shall not be appropriated for the paper, but each Delegate shall pledge himself, in a definite sum in behalf of the county he represents for the support of the paper."

Mr. Moore said—I fear that we are about to organize an intricate piece of machinery, and that confusion will be the result of an attempt to make it work. You are going to have an Executive Committee and a Board of Trustees, each to have power in the management of the paper; this will certainly occasion conflict in regard to the expenditure of the funds. How much better were it to increase the number of the Executive Committee, and give them plenary power and the sole control of the paper. Last year you gave them power over the whole business of the Convention. Did they not act wisely and prudently? Let them now, in regard to this scheme, have power to organize all necessary plans; what we want is our testimony; if we get this, we care not how; if the committee are honest, it is all we need ask.

J. Hubbard said—I am for the Executive Committee, and have entire confidence in them; but the people ought to feel sufficient interest in, to support the paper independently, without having recourse to the general fund of the Committee.

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| J. B. SANDERSON, | } Secy's. |
| F. J. VOSBURGH, | |
| S. HOWARD, | |

FOURTH DAY'S PROCEEDINGS.

MORNING SESSION.—DEC. 12TH, 1856.

President Hall in the chair; called the Convention to order at 10 o'clock.

The 16th chapter of Proverbs was read, and prayer offered by the Chaplain. In the absence of the Secretary, who held the minutes of the last meeting, the President announced the unfinished business to be the motion pending to adopt Mr. Wilson's substitute to section 3d of the report of Committee on State Press, with Mr. Haynes' amendment to the substitute.

The President begged gentlemen to bear in mind that this is the fourth day of the Convention; he would not have them any less deliberate and careful in the disposition of business, but to consult brevity in their speeches.

Mr. Wilson having obtained the consent of Mr. Haynes, asked leave to withdraw his proposed substitute, with Mr. Haynes' proposed amendment to the substitute—it was granted.

Mr. Francis moved to lay the remainder of the report on the table; the motion not sustained.

Mr. Collins proposed the following amendment:

"That no appropriation shall be made out of the funds now in hand; and one-third of all the monies received after the 1st of January, 1857, be appropriated to the State Press."—The amendment was accepted.

Mr. Barbadoes offered a substitute to the amendment of Mr. Collins, as follows:—"That a State Central Committee of one from each county be appointed, who shall assume the direction of the *Mirror*; act as its agents, solicit subscribers, raise funds, and direct its general financial affairs.—Amendment not sustained.

Mr. Henry moved to postpone the further consideration of the subject of the State Press until minutes of the previous meeting were read—carried.

The Chairman of the Finance Committee, F. G. Barbadoes, reported the contingent expenses of the Convention to be :

| | |
|---|----------|
| For printing 1000 copies of proceedings,..... | \$125 00 |
| For printing 100 heads of petitions,..... | 15 00 |
| For stationary for use of Convention,..... | 10 00 |
| For use of Church, | 12 00 |
| | <hr/> |
| | \$162 00 |

Also, that the Committee recommend, in order to raise the above amount, that each Delegate be assessed in the sum of \$3 00.

Mr. Barbadoes explained the several items of expense presented in the report ; after which, on motion of Mr. Thomas, it was adopted.

The minutes of Thursday Afternoon's Session were called for, read, and approved.

Third section of the report on State Press was again read, considered, with the amendment of Mr. Collins.

Mr. Ferguson said :—Mr. President, I do not wish to impede the progress of this discussion, nor precipitate the vote upon this question with indecent haste ; but we have already spent much time upon the third section, and it is to be presumed that the point as to how and whence this organ is to get support, is generally understood and decided upon ; not because it comes from me do I favor it, but because it is important, and I think we are all satisfied with the proposition in its present form ; I move the previous question.

Mr. Ferguson's motion was sustained. The previous question was put, section third, embracing the amendment of Mr. Collins, was adopted without a dissenting vote.

Fourth section of report read, and adopted on the motion of T. Duff.

Fifth section read ; T. Detter moved to adopt—carried.

Sixth section read ; E. R. Phelps moved that the blank in this section, as to place of publication be filled with the name of San Francisco ; motion adopted.

Mr. Francis thought the State Press question was absorbing too much of the time of the Convention ; the State Press Committee seemed to have combined, to drive it through to the exclusion of other important matters.

Mr. Ferguson wished to act fairly and impartially ; no intregue had been practiced in this business. On the question of locating the paper, Mr. Newby said :—Although one of its Editors, and Chairman of the Press Committee had intimated no partiality as to place. The vote was taken on the sixth section, and it was adopted.

Seventh section read ; Mr. Henry moved that blank in section seventh, having relation to the pay of editors, be filled with the sum " seventy-five dollars"—accepted.

Mr. Harper proposed one hundred dollars instead ; Mr. Harper withdrew, afterwards, his proposition.

Mr. Henry thought that according to the report of delegates, our people have not been as liberal in supporting the paper, as was to be expected under the present circumstances, and considering that the *Mirror* will be but a weekly paper, \$75 was enough.

Mr. Ferguson :—As amendatory to Mr. Henry's motion, proposed that the following words be inserted in section seventh after the sum \$75 ; " with power to raise the same to one hundred dollars at any time when the resources of the paper will justify it." Section seventh, with Mr. Henry's motion and Mr. Ferguson's amendment were adopted.

Eighth section read ; and adopted on motion of E. A. Booth.

Ninth and last section read ; and adopted on motion of Geo. W. Miller, unanimously.

A vote was passed tendering thanks to Mrs. Jackson, and the ladies of San Francisco, for their efforts in behalf of the *Mirror*.

The Committee on Statistics was called upon to report ; the report was presented in a fragmentary and unsatisfactory form.

Mr. Newby moved to refer back to the Committee on Statistics.

Mr. Moore thought nothing could be gained by referring ; it is to be supposed that the Committee have sought information, but delegates have not come prepared with statistics ; to collect them hereafter, and place them in the hands of this Committee to be combined in a report can hardly be expected.

Mr. Wilson was for referring, because he did not want the report published in its present form.

Mr. Newby asked permission to amend his own motion, by adding the words " with instructions, etc." Upon the motion of Mr. Barbadoes, the subject matter of the report was laid upon the table.

Convention, on motion of Mr. Townsend voted to appoint a Committee of three, to examine the books, and audit the accounts of the State Executive Committee. The Chair appointed Messrs. Alex. Ferguson, B. B. Young, C. M. Wilson.

E. R. Phelps moved that the Convention go into Secret Session this afternoon between the hours of 4 and 5 o'clock, to hear and act upon the Official Report of the State Executive Committee—seconded. Messrs. Anderson, Deiter, Moore and Newby were appointed to the Secret Session.

Ferguson and Herbert favored it. Mr. Ferguson said :—I am in favor of the Secret Session, not because I fear any revelations will be made, or action taken, of which we need to be ashamed, but as a matter of policy.

Mr. Newby :—Secret Sessions I oppose, as a matter of principle ; I hold them to be anti-democratic in their spirit and tendency ; they are often resorted to when bodies of men, possessing power and means, would concoct schemes against the interests and liberties of the people ; the people always detest them, fearing that some rascality is to be done.

Mr. Ferguson :—Let it be remembered that it is not alone the Executive Committee of whose action the records speak ; there are others too. Secret Sessions are often necessary in democratic and monarchical governments, when at war with other nations, that government should not know their purposes. During the last war, this government held Secret Sessions, decided upon its measures, and concealed them from the public, only communicating them to those who were to carry them into execution. What's your Executive Committee for ? For what do you give them power and the control of your funds ? Sir ! the public must be content to confide in their wisdom and faithfulness, without knowing the details of their action.

Mr. Moore :—My convictions are nevertheless against the propriety of the Secret Session. What do we propose to do in it ? As I understand, simply to examine the accounts. The people desire to hear the facts, and

besides, it will increase their confidence in the Committee. I am, therefore, for an open session, and for letting the people come in.

W. H. Newby :—I do not know what questions will enter into the deliberations of the Secret Session. Mr. Ferguson says it is policy that dictates this proposal. I fear it is more a matter of pride than aught else. I am still of the opinion that an open session should be held, and the facts of the action of the Executive Committee communicated to the people ; it will stir them to greater earnestness in sustaining the Committee. If the Committee have been derelict, let it be seen ; or, if the colored people of California have not done their duty—have not come up to their pledges, let it be known. The vote was taken upon the motion for a Secret Session, and it was carried.

N. Henry, in behalf of Mr. Robinson, offered the following resolution :

Resolved, That a portion of the Proceedings of this Convention be published in one of the daily papers. This resolution, after being amended by a proposal of Mr. Ferguson with the word "provided the paper selected publish such proceedings gratuitously."—adopted.

T. Detter offered a resolution that a committee of five be appointed to examine and decide upon the fitness and propriety of publishing articles sent to the "Mirror of the Times" for that purpose.

J. H. Townsend thought that editors should decide upon the fitness of articles sent for publication.

E. A. Booth was of the opinion that the editors should not have power to suppress at discretion.

J. J. Moore thought that some power should be established, to which appeal can be made when wrong is done to a correspondent, in the matter of disposing of his communication ; an editor may be in the wrong, and he should be held responsible, when complained of to some authority.

J. H. Townsend :—I am surprised that Mr. Moore should express such views. It was proposing to hedge in an editor to an extent that no man, with ability and independence necessary to the efficient conducting of a paper, would willingly be confined. The power to decide upon articles is commonly exercised by editors. Take the San Francisco "Evening Bulletin," and the course of the lamented James King of Wm. for example : while he lived, one of the most independent of men in the State ; his press one of the most liberal, opened freely for communications upon all subjects of interest to the people. Did he admit all the articles he received ? Unquestionably not ! It is a mistake to suppose because a man is of good character, therefore can write a communication fit to be printed. In the multitude of letters and communications an editor is continually receiving, he has seldom time to alter and correct that which may be full of faults ; he is compelled to decide, 'print or not ;' often in haste, and in so doing may, without design, give offence ; experience is to be trusted, and, in general, the fitness of articles may be ascertained before they are sent to be published.

J. M. Flowers moved to lay Mr. Detter's resolution on the table—motion carried.

Mr. Richard Hall moved that so much of 3d Rule as relates to the hour of adjourning the Afternoon Session be suspended, and that the Afternoon Session of this day be extended to such a time as delegates shall deem it proper to adjourn ; seconded by Mr. Newby, and adopted unanimously.

F. G. Barbadoes asked permission to read a series of resolutions, which had been drawn up and placed in his hands by Mr. Thomas Duff, of Mariposa—granted. Mr. Barbadoes read,

Resolved, That the Delegates be instructed by this Convention, to call meetings of the colored people of their respective counties, to consider upon the best ways of raising funds for the support of the *Mirror of the Times*.

Resolved, That we heartily endorse the manly stand taken by the *Mirror of the Times* in behalf of our injured and much abused people; and we will do all in our power to make it worthy of the people it represents.

Resolved, That we approve of the manner in which the *Mirror* has been conducted by its original proprietors: that they have proved themselves capable of making it an honor to the colored people of the State of California.

Resolved, That we recommend as an effective way to raise funds for the paper, that each delegate call meetings in their respective counties, and form clubs to make donations of such sums as may be agreed upon by those composing the clubs.

Resolved, That the sums donated by the clubs to the *Mirror*, be forwarded to the Executive Committee monthly, at such times as their members shall decide upon.

Resolved, That we look upon the *Mirror of the Times* as a beacon light, shining brightly and clearly on the path by which we are to reach that position, that as a free and intelligent people, we should occupy in common with our white fellow-citizens; showing beyond a doubt, that we possess talent, industry and enterprise in our ranks; and that all we want is, the equal enjoyment of those civil and political rights, and privileges that are possessed by the whites, and we will stand second to no class of people in the American Union.

The series of resolutions of Mr. Duff, were, on the motion of Mr. Ferguson, adopted unanimously.

Mr. George W. Booth asked if the Business Committee was ready to report on the resolution of Mr. Hatfield, touching the distribution of the proceedings of the Convention, which was, at the Wednesday afternoon session, referred to the Business Committee?—Committee not ready.

Mr. Booth proposed a motion, that the pamphlets of proceedings, when published, be distributed among the delegates—each one to be entitled to an equal share.

Mr. Newby seconded the motion; and the vote being taken thereon, it was lost.

Adjourned to 4 o'clock; P. M.

AFTERNOON SESSION.

FOURTH DAY.

Convention met at 4 o'clock, President Hall in the Chair. Prayer was offered by Rev. J. B. Handy.

Committee appointed to examine the books, and audit the accounts of the State Executive Committee were called upon for their report.

The Convention being in secret session from 4 to 5 o'clock, P. M., Mr. Ferguson, Chairman of the Examining Committee, read extended extracts from the records of the Executive Committee: the reading being finished, Mr. B. B. Young wished to offer a resolution in regard to the report; decided to be premature.

Mr. Henry remarked:—In regard to the report to which we have just listened, it has afforded me great satisfaction; it met his approval from beginning to end; there is a clearness and straightness in it that I like. The gentlemen composing the Executive Committee, have acted in a manner worthy of the highest praise; they have made sacrifices such as we had no right to expect of them, in acting for the people; and here I may express the hope, that our people will never refuse to support this Committee, as long as it may be necessary to continue it, from an unwise and unjustifiable want of confidence.

Mr. Newby moved to adopt the report of the State Executive Committee—carried unanimously.

Mr. Ferguson read the following resolution, and moved its adoption:

Resolved, That the colored people of the State of California, through their representatives here assembled, tender their heartfelt thanks to the members of the State Executive Committee, for the prompt and faithful manner in which they have discharged the arduous duties imposed upon them by virtue of their office—it was adopted by acclamation.

Mr. G. W. Booth moved the reconsideration of the vote of yesterday, by which a motion relating to the disposal of the pamphlets of proceedings—was laid on the table.

Mr. Newby seconded the motion, and it was carried.

Mr. Francis proposed a motion that the proceedings, when published, be equally distributed among the members of this Convention.

Messrs. Henry, Townsend and Moore, opposed the motion. Mr. Henry thought they should be a source of revenue for the purposes of the Convention. He would suggest an amendment, so as to give 8 copies to each delegate.

Mr. Moore:—Some provision should be made to furnish the Executive Committee with extra copies. I move that each delegate shall receive 10 copies of the proceedings, and that the remainder be placed in the hands of the Executive Committee—this amendment was accepted, and on motion was adopted.

Mr. Dettler introduced the following resolution, which was seconded by Mr. Vosburgh, and unanimously adopted:

Resolved, That the State Executive Committee be composed of fifteen persons—ten of whom shall reside in San Francisco, Sacramento and Marysville; and the other five chosen from the different sections of the State.

Voted, on the motion of Mr. A. G. Dennison, that a Committee of five be appointed to nominate a list of names to constitute the State Executive Committee.

The Chair appointed Messrs. R. Hall, A. G. Dennison, C. M. Wilson, J. J. Moore, E. Vincent.

Mr. F. J. Vosburgh presented resolution No. 29, as follows:

Resolved, That the members of this Convention tender their thanks

to E. P. Duplex, Esq., of Marysville, for the prompt and efficient manner in which he has discharged the arduous duties of Recording Secretary of the State Executive Committee for the past year.

The resolution being seconded, Mr. Ferguson, expressed himself as of the opinion, that the resolution pending, had been anticipated by resolution, which the Convention had already adopted.

Mr. Newby agreed with Mr. Vosburgh, and thought we should designate in the case of Mr. Duplex.

Mr. Townsend :—I hope this resolution will be passed by the Convention : Mr. Duplex has done well ; it gives me pleasure to testify to the efficiency and value of his services, and I am sure that every member of the Executive Committee will respond to it.

Mr. Ferguson :—I am the last man to attempt to despoil any one of well earned laurels. The man of magnanimity who does his duty, feels rewarded when his services are acknowledged in a manly way : such a man, I believe is Mr. Duplex. Gen. Washington, in his best days, did not receive his meed of praise. Were Mr. Duplex here, I think he would hold it to be superfluous and invidious, in a case where his associates have also well performed their duty. In his place, I certainly would not expect it, and though I were grateful to the friends who proposed, I would protest against it.

Mr. Newby :—I feel that I rise at disadvantage after Mr. Ferguson. A common soldier does his duty as well as his general ; but does the nation award no more honor to the successful general, than to the common soldier ? Mr. Duplex, as the Secretary of the Committee, has labored most faithfully—has done a most important work : we look to him for full and faithful reports of the doings of the Committee : had he been neglectful of his duty, we could not have told where we are ; but the papers from his hands speak for themselves : they are an honorable testimony of his zeal, faithfulness and ability. I would challenge any man in this State to produce clearer and better records of the doings of a public body, than are presented in the books of the Executive Committee : they are worthy of imitation, and will be an incentive to those who may follow in the same path. Public bodies do not overlook these points, nor should we :—I trust the resolution will pass.

Mr. Hubbard spoke in support of the resolution ; when the vote was taken, and it was adopted.

Mr. R. Hall, from the Committee appointed to nominate a list of persons to constitute the State Executive Committee, reported the following names :—J. H. Townsend, H. M. Collins, M. W. Gibbs, W. H. Newby, J. B. Sanderson, F. G. Barbadoes, M. S. Hayne, Thomas Dettter, E. P. Duplex, George R. Symes, B. B. Young, W. H. Hall, Joseph J. Underwood, H. T. Smith, Thomas Duff.

Mr. Ferguson moved that the report of the Committee be adopted.

Phelps, Flowers, and Henry opposed the adoption : were in favor of substituting two other names for those of Townsend and Newby, for the reason that their services were indispensable in an other position.

Mr. Henry said it would conflict with their duties as editors of the *Mirror*.

Francis and Booth hoped the names of Townsend and Newby would, by all means, be retained.

President Hall vacated the Chair, (which was taken by one of the

Vice Presidents,) and said:—We have now reached an important point of the Convention, being about to re-form the State Executive Committee; when we shall have adjourned, that Committee will be expected to work for you, for all of our people in this State, and certainly it is not a work of slight importance to us; let not the proposition to leave off two such men as Townsend and Newby from the Committee, be entertained for a moment. I feel deeply in regard to this matter; if they were men of questionable character, that would be just cause for leaving them off, but the people of California know them to be able and honorable men, worthy of their confidence. I do not think their connection with the *Mirror*, will needs lessen the value of their services as members of the Executive Committee; much as I love my friend Townsend and Newby, deeply as I feel interested in the continuance and success of the *Mirror*, let either of them get out of the right way, and that love and confidence, with the little support I have hitherto been proud to extend to them, shall be withheld.

Mr. Hubbard said—Of one thing I think it is safe to assure the friends, Messrs. Townsend and Newby will not be able to run off with the Executive Committee.

The motion of Mr. Ferguson to adopt the reported list, was carried.

Mr. F. R. Carter offered resolution No. 30, "That J. H. Townsend be appointed the principal and responsible editor of the *Mirror of the Times*."

Mr. Dettter proposed to amend as follows:—That J. H. Townsend and W. H. Newby be appointed responsible Editors, etc. Dettter's amendment was accepted, and resolution No. 30 was adopted.

Mr. Ferguson asked permission to read a letter, which had been placed in his hands by Mr. Hyer—granted. The letter having been read, was, by vote of the Convention, ordered to be recorded among the minutes of the Convention. It was as follows:

The citizens of San Joaquin send greeting to the Convention of colored men being held in Sacramento. The great objects embraced in the call for the Convention meet with our unqualified approval; and shall have, in the struggle to obtain them, our best energies.

The disgraceful enactments that so cripples us in all that pertains to our elevation and happiness should be repealed. Gentlemen, you have our co-operation in this glorious struggle; we hope that measures will be adopted, calculated by their wisdom and efficiency to promote all our interests, but chiefly the repeal of the Statutes invalidating our testimony in Courts of Justice where white persons are parties. This deprivation subjects us to many outrages and aggressions by wicked and unprincipled white men; by it, prejudice is aroused against us that would not exist but for this Statute; its debasing effects upon the morals of our people is evident, in its tendency to crush their aspirations, and thus to prevent the full development of those qualities which are the basis of high moral character. In conclusion, gentlemen, accept our hearty good wishes for the attainment of the great objects we have so much at heart.

In behalf of the people of San Joaquin,

S. B. HYER.

A resolution respecting the form of Petitions, was presented by Mr. Newby.

Resolved, That the form of the Petitions to be presented to the Legis-

lature shall be the same as those of last year, with the addition of that portion of the late report of the Grand Jury of San Francisco relating to Chinese and African testimony.

Mr. Townsend remarked, that the Executive Committee would be careful in the heading of the Petitions; the experience of last year had been instructive to them in that respect.

Ferguson, Handy, Detter, Henry and Phelps, opposed the adoption of Mr. Newby's resolution.

Mr. Detter moved to lay it on the table—carried, 24 to 20.

Mr. Collins moved that the whole matter of the form of the Petitions be referred to the Executive Committee.

Mr. Phelps supported the motion for reference.

Mr. Newby opposed; he thought the Convention could as well decide, and were likely to know as much as the Executive Committee.

Mr. Townsend thought the reference would save time.

Mr. Ferguson offered an amendment to the motion for reference, as follows: and that they place the words, in conformity with the instructions of the Grand Jury of San Francisco, we petition your honorable body, &c., &c., at the head of the Petitions.

Newby thought the proposed amendment contained a statement that was not true, in the expression, "In conformity with the instructions, &c., &c."

M. J. B. Johnson was in favor of leaving out of the Petitions all reference to the Report of the Grand Jury.

Mr. Ferguson altered the phraseology of his amendment, so that it read—"In conformity with the late Report of the Grand Jury of San Francisco, we petition your Honorable Body," &c., &c.

In this form the amendment was accepted, and the motion to refer adopted.

Mr. Detter offered a resolution, that J. B. Sanderson prepare the Proceedings of this Convention for publication, by the 1st of January, and receive for his services the sum of \$40.

Mr. Gordon proposed as a substitute, resolution No. 31.

Resolved, That Mr. J. B. Sanderson be requested to prepare, at his earliest convenience, the Proceedings of this Convention for publication, and that the sum of \$50 be awarded him for his services.

Mr. Gordon's substitute was accepted and passed.

Mr. E. Waters spoke of the school at Grass Valley, referring in complimentary terms to the teacher of it, and offered a resolution in relation thereto. This subject was decided to be irrelevant and out of order.

M. Ferguson offered a resolution in relation to the Executive Committee, viz.: "that they have power to expel members." Resolution not seconded.

Mr. C. M. Wilson proposed Resolution No. 32.

Resolved, That we will use our earnest endeavors in the several counties of our residence, to induce our constituents to sustain the pioneer of literature among us.

E. Waters was the author of this resolution; it was adopted.

Mr. Vosburgh presented the following: *Resolved*, That the thanks of this Convention are hereby tendered to William H. Hall, Esq., for the dignified, efficient, and impartial discharge of his duties as President of this Convention.

The resolution was adopted by acclamation. Upon its adoption, Mr. Hall arose and addressed the Convention in the following speech :—

Fellow Members of the Convention :

The high obligations committed to your care, through the confidence of your constituents, are about to be dissolved. Your labors, as a representative body, legislating for the advancement of the condition of an oppressed people is nearly closed. The record of your proceedings stands here for the examination of the critical, and as a comparison with the works of any other assemblage that has convened together upon the Pacific shores. To many of us the honor of members in a Convention have never before been enjoyed, and consequently the want of experience in such deliberations was greatly felt ; but where conception failed to penetrate great difficulties, the impulses of the heart aroused internal sense of our wrongs, and directed our energies to the accomplishment of one great end—the right of oath. If evidences of respectability and intelligence, wealth and probity are sufficient guarantees of the privileges we deserve, it will not require much other effort to obtain it. It is true that the spirit of selfishness may for a period retard our progress, but the men in this State whose minds are capable of higher sensations, will not dedicate themselves to an ignoble work. The age in which we live is a progressive one ; the elements of refinement form the basis of all well regulated society, and in proportion as any people inculcate and disseminate these principles of civilization, in the same proportion do they receive and enjoy its immunities. The time has arrived when we must act in accordance with the sentiment which governs other men ; not as a *nation* of menials controlled by arbitrary will, but as a community of equals, participating in every blessing, and contributing to the perpetuity of every honorable avocation. We are not debased on account of any repugnance to our complexion, nor are we disfranchised in consequence of natural inferiority—human actions are often prompted by motives contrary to the elevated spirit of pure virtue, and so long as we continue to alleviate the burthens of others, we must expect to wear the odium of its conditions. Brethren, we have initiated a great work, and it seems to be essential that we must not only be superior in mental endowments to those we are to mingle with, but it is also required, that we be devoid of other men's vices. Every small folly of our lives, every error of judgment, and every thoughtless, intemperate word of speech is magnified into positive reasons why we are incapable to enjoy the rights we ask. The disadvantages we are compelled to encounter are of such a magnitude that almost any other people would be appalled at its mere contemplation—deprived of protection for the safety of our families, taxed for the support of education, and yet the doors of the common school-house closed against our children ; denied the exercise of the elective franchise, and subjected to be governed by laws in which we had no hand in framing. Every position of emolument and honor that our country has to bestow, our claims as native born citizens are overlooked, and the ignorant foreigner or the most degraded American citizen is awarded the preference.

These considerations are humiliating to our manhood, and should rouse the latent energies of the mind to activity. In conclusion, let us go home, gentlemen, deeply impressed with the necessity of each and

every one performing the active duties which the subjects we have considered demanded. In retiring from amid the excitement of political life, we are conscious of having done our duty to *God*, to ourselves, and to our fellow men, and though we feel this self-congratulation, let it be remembered that without diligence and constant effort, the great measures we have matured will be futile in their operations. I would urge each one of you to consult and instruct our less favored brothers, both colored and white, remove their prejudices in regard to our true condition, induce our colored brethren to cease prattling about being the equals of our oppressors, until they present the mental, pecuniary, and other necessary evidence of being such. Converse with our ignorant white brethren, those who despise the poor negro because he is a negro, and convince them that their social condition and ours are alike degraded, and whatever political measures afflict us, are none the less severe upon them. Reason and argue with those who hold power within their fingers upon the injustice with which we are treated. Convince them of our capabilities in a moral and social point of view. Revert their minds back to the days of childhood when neither knew any difference, neither felt any compunctions, but when each heart mingled its grateful emotions in the reciprocity of innocent amusement. Arouse their sympathies in our behalf, because none know us so well as they do. Appeal to their magnanimity and to their adoration of country, and discover if they are content in the enjoyment of their greatness by compelling us, the equal participators of their troubles, to bear the yoke of servitude. Let us be united in acquiring knowledge and wealth; educate your children for farmers, mechanics, and other industrial pursuits; instil within them the glowing pride of their avocations, and the meanness of menial callings. Teach them to look upwards, onwards, and beyond the obedience of degraded conditions, and by the time we again assemble here in Convention, we shall behold results cheering to our ambition, and security to our rights.

Mr. Hall's speech was frequently interrupted with applause.

Mr. J. B. Johnson introduced resolution No. 34, which was adopted.

Resolved, That the thanks of this Convention be tendered to the Vice Presidents, Secretaries, Chaplain, and other officers of the Convention for the prompt and faithful discharge of their respective duties.

Mr. Smith of Tuolumne said:—As one of the Vice Presidents, he begged to return his thanks to the gentlemen of the Convention; he felt it to be an honor that he had been appointed to that office.

Mr. Thomas made a motion that Mr. J. Howard be now allowed to read a portion of his address. Mr. Newby opposed, on the ground that it was too late. The question was taken on Mr. Thomas' motion, and it was lost.

F. G. Barbadoes, Chairman of the Finance Committee reported the amount raised for the expenses of the Convention. Report adopted on the motion of Mr. Ferguson.

A vote of thanks was tendered the Choir of the church, and a collection taken up for the benefit of the Church. The Choir sang an Anthem, and benediction being pronounced, the Convention adjourned, *sine die*.

| | |
|------------------|-----------|
| J. B. Sanderson, | } Secy's. |
| F. J. Vosburgh, | |
| S. Howard, | |

Officers of the Convention.

President.

W. H. HALL.

Vice Presidents.

B. B. YOUNG,
H. F. SMITH,
F. G. BARBADOES,
THOS. DUFF,
W. H. NEWBY.

Secretaries.

J. B. SANDERSON,
F. J. VOSBURGH,
S. HOWARD.

Executive Committee,

[SAN FRANCISCO,]

J. H. TOWNSEND,
H. M. COLLINS,
M. W. GIBBS,
W. H. NEWBY.

[SACRAMENTO CITY.]

J. B. SANDERSON,
F. G. BARBADOES,
M. S. HAYES,
THOS. DETTER.

[MARSTVILLE.]

E. P. DUPLEX,
G. R. SYMES.

[SHASTA.]

B. B. YOUNG.

[OROVILLE.]

W. H. HALL.

[MICHIGAN BLUFF.]

J. J. UNDERWOOD.

[COLUMBIA.]

H. T. SMITH.

[MARIPOSA.]

THOS. DUFF.

Publishing Committee.

J. B. SANDERSON,
J. H. TOWNSEND,
W. H. NEWBY,

G. W. GORDON,
J. J. MOORE.

PROCEEDINGS
— OF THE —
CALIFORNIA
STATE CONVENTION
— OF —
COLORED CITIZENS,

Held in Sacramento on the 25th, 26th, 27th and 28th of October, 1865.

SAN FRANCISCO :

Printed at the Office of "The Elevator," corner of Sansome and Jackson Streets.

1865.

75-13546

STATE CONVENTION.

First Day.

Pursuant to a call issued by the Executive Committee of San Francisco, the Convention met in the city of Sacramento, on Wednesday, October 25th, at 10 o'clock, A. M., in Bethel A. M. E. Church, Seventh street.

The delegates were called to order by Mr. R. A. Hall, Corresponding Secretary of the San Francisco Executive Committee, and read the following

Call for the Convention.

TO THE COLORED CITIZENS OF CALIFORNIA—

Men and Brothers:—You are hereby summoned to meet in Convention in the City of Sacramento, on Wednesday, the 25th day of October next ensuing, to consider and deliberate on subjects connected with our interests as citizens of this State.

We have received hearty and cheering responses from Sacramento, Napa, San Jose, Marysville, Port Wine, Benicia, and other places.

By order of the Executive Committee,
R. A. HALL,
Corresponding Secretary.

San Francisco, Aug. 3, 1863.

He then moved for the temporary organization by nominating Mr. Wm. H. Hall as Chairman *pro tem*. The motion was adopted.

Mr. Hall, on assuming the chair, stated the objects for which the Convention was called, and hoped that harmony and union of sentiment and action would prevail during our session. He then requested Rev. John J. Moore to invoke a blessing from heaven on our labors. Mr. Moore addressed the Throne of Grace in a feeling and impressive manner.

Mr. Hall concluded the temporary organization by nominating Philip A. Bell as Secretary *pro tem*. Carried.

It was also moved that a committee of

three be appointed on Credentials. Carried.

The Chairman appointed T. M. D. Ward, A. L. Jackson, and J. Madden, as said Committee, who retired to examine the credentials of delegates. During the interim the Chairman requested Mr. W. H. Yates to address the Convention.

Mr. Yates urged the necessity of union among our people, and hoped that there would be no exhibition of jealousy or ill feeling among us, but we would all act for the general good of our entire race. He then introduced Rev. O. M. Briggs, Agent for the Freedmen's Bureau for the Pacific coast. Mr. Briggs stated that we must not be discouraged if we did not succeed immediately in obtaining our political rights. We must expect opposition, even from Union men; the country was fast coming up to that point when equal political rights would be awarded to colored men, not only as a reward for their valor, patriotism and loyalty, but as justly due them as men and citizens. He likewise said that prejudice was fast abating on this coast. He thanked the Convention for the honor of addressing them, but he came to listen and learn, not to speak or instruct.

Mr. Peter Anderson requested permission to offer a few remarks, which he had prepared for the consideration of the Convention. Granted.

The Committee on Credentials returned and reported that nine counties were represented by twenty-five delegates. The report was accepted, and the Committee retained.

On motion, the Chairman appointed the

following Committee on permanent organization :

Rev. John J. Moore, San Francisco.
 Mr. E. A. Clark, Sacramento.
 Mr. B. Campbell, Yolo.
 Mr. W. H. Christopher, Napa.
 Mr. R. F. Shorter, Santa Clara.

The Committee retired, and Rev. Amos Johnson was introduced to the Convention, and made a very telling and patriotic speech.

The Committee on Permanent Organization reported the following as the permanent officers of the Convention :

President :

Fred'k G. Barbadoes, of San Francisco.

1st Vice President :

W. H. Harper, of Sacramento.

2d Vice President :

Basil Campbell of Yolo.

Secretary :

Philip A. Bell, of Santa Cruz.

Assistant Secretary :

W. H. Christopher, of Napa.

Treasurer :

Jacob Madden, of Santa Clara.

Chaplain :

Rev. P. Kellingworth, of Sonoma.

The report was received with acclamation, and the Chairman appointed Messrs. Yates and Ruggles to conduct the President to the chair. On taking his seat Mr. Barbadoes delivered the following address:

Gentlemen of the Convention :—

For the fourth time the colored citizens of this State are assembled in Convention for the purpose of obtaining justice, and the consideration of subjects tending to our general elevation. The principal object which created the preceding conventions, was the admission of our testimony in the courts of justice in this State. This has been happily accomplished by our untiring efforts, and the generous and noble co-operation of the friends of justice in the Legislature. After a struggle of eight years, and in January, in the year 1863, the statutes of California were cleansed from that foul blot which had entirely obliterated from their face Equity and Justice. The principal objects of this Convention is to devise ways and means for the obtaining of that right, which, under the Constitution of the United States, is guaranteed to all her citizens, namely, the right of the elec-

tive franchise. This question is the important one of the day—not only to those of our race here and elsewhere—not only to this State, but it concerns, and directly affects the safety and prosperity of the American Government. I am confident that this and other subjects coming before your consideration, will be treated with firmness, intelligence, and moderation. I enter upon the discharge of the duties of this important and elevated office with serious misgivings, feeling that it is more to your kind partiality than my ability that I am indebted for the distinguished honor. I confidently rely upon you to assist me in the proper discharge of my duty, by the exhibition of that patience, forbearance and self respect which has ever characterized our race. Permit me to assure you that it is my firm resolve to discharge these duties impartially, and with justice to all, and that I sincerely thank you for the distinction with which you have honored me.

Mr. Ward moved that Standing Committees be appointed on the following subjects: Business, Education, Industrial Pursuits, Public Morals, Statistics, Finance, and Elective Franchise. The motion was carried, and the Chairman stated that he would announce the Committees in the afternoon. R. A. Hall, Wm. H. Yates and A. L. Jackson were appointed a Committee on Rules.

After benediction by the Chaplain, the Convention adjourned until two o'clock P.M.

Afternoon Session.

At half-past two o'clock the Convention was again called to order by the President, and the exercises were opened with prayer by the Chaplain.

Roll called. Minutes of last meeting read and approved.

The Committee on Rules presented their report, which was read.

Mr. R. H. Small moved to amend the report by adding the 5th Rule, which was accepted.

MR. PRESIDENT :—The Committee selected to prepare Rules to govern this Convention, beg leave to submit the following :

1st—The regular sessions of the Convention shall be held twice each day.—Morning Session, from 9 to 12 o'clock. Evening Session, from 2 to 5 o'clock.

2d—A majority of the Delegates shall

constitute a quorum for the transaction of business.

3d—The Rules of Order laid down in the Convention of 1855, shall be the standing rules of this Convention, in all points not herein provided for.

4th—No member shall be allowed to speak more than twice upon the same subject, without special leave of the Convention, and not longer than ten minutes the first time, and five minutes the second.

5th—A fine of fifty cents will be imposed upon every member who shall be absent at roll call, unless he shall give a reasonable excuse, to be accepted by the Chair. Said fine to be applied to the Contingent Fund.

In accordance with the resolution presented this morning by Mr. Ward, the President appointed the following Standing Committees :

On Business :

J. J. Moore, W. H. Hall,
E. P. Duplex, E. A. Clark,
R. H. Small.

On Education :

W. H. Hall, T. M. D. Ward,
P. A. Bell.

On Elective Franchise :

R. A. Hall, W. H. Yates,
D. W. Ruggles, E. P. Duplex,
J. R. Starkey.

Industrial Pursuits :

T. M. D. Ward, E. W. Parker,
J. Madden, B. Campbell,
Wm. H. Harper, E. P. Hilton,
J. P. Dyer.

On Statistics :

J. R. Starkey, Dr. Bryant,
M. L. Rogers.

On Finance :

W. H. Harper, W. H. Christopher,
E. W. Parker, R. F. Shorter,
R. A. Hall.

On Public Morals :

Revs. J. H. Hubbard, J. J. Moore,
P. Kellingworth.

A preamble and series of resolutions were presented by the Sacramento delegation, which were read, and on motion, referred to the Business Committee.

Moved, that all resolutions from members or delegations be read and referred to appropriate Committees. Carried.

The Santa Clara delegation presented a

preamble and resolutions adopted at a public meeting in San Jose. Read and referred to Business Committee.

Mr. Shorter presented the statistics from Santa Clara county. Read and referred to appropriate Committee.

Moved, by Mr. Ward, that the Executive Committee of Sacramento be admitted to seats in this Convention. Carried.

Moved, that we hold an evening session at 7 o'clock to-morrow evening, to receive statistical information from the several delegations. Carried.

Benediction by the Chaplain.

Adjourned.

THURSDAY, OCTOBER 26TH.

Second Day.—Morning Session.

President in the Chair. Prayer by the Chaplain. Roll called. Minutes of last meeting read and approved.

Reports of Standing Committees called for. Committee on Education reported an address, which was accepted.

Committees on Statistics, Finance, Industrial Pursuits, and Public Morals, reported progress.

Business Committee reported a Preamble and Resolutions, which were received, and while under discussion Mr. Anderson rose and said that it is probable the minutes of this Convention will be published in pamphlet form, and the cost will probably be \$100 ; he would therefore suggest that the Finance Committee make arrangements for that purpose.

Mr. R. H. Small introduced Messrs. J. Johnson and R. McGaines, from El Dorado, who were, on motion, elected members of the Convention.

The Committee on Credentials reported the roll corrected and complete, as follows:

San Francisco :

Rev. J. J. Moore, J. R. Starkey,
Rev. T. M. D. Ward, P. Anderson,
D. W. Ruggles, E. W. Parker,
R. A. Hall, E. P. Hilton,
J. Madison Bell, Wm. H. Hall,
W. H. Yates, J. Smallwood,
J. J. Moore, proxy,
H. M. Collins, F. G. Barbadoes, proxy.

Sacramento :

Wm. H. Harper, Edward A. Clark,
A. L. Jackson, P. L. Hickman,
A. D. Berghardt.

Santa Clara :

Jacob Madden; Richard F. Shorter.

Napa :

Wm. H. Christopher.

Yolo :

Basil Campbell.

Sonoma :

Peter Killingworth.

Mariposa :

Moses L. Rogers.

Yuba :

Ed. P. Duplex, Dr. W. J. O. Bryan.

El Dorado :

James M. Oliver, Robert H. Small,
James Cefous.

Contra Costa :

John Peterson.

Solano :

N. E. Speights, by F. G. Barbadoes, proxy.

Sierra :

I. P. Gibbs, by J. P. Dyer, proxy.

Santa Cruz :

Geo. W. Smith, by P. A. Bell, proxy.

Afternoon Session.

The President in the Chair, and a quorum of members present. Prayer by the Chaplain. Roll called. Minutes of last meeting read, corrected and approved.

Mr. R. H. Small introduced Mr. F. W. B. Grinnage, of Nevada, and moved that he be elected an honorary member of the Convention. Carried.

The unfinished business was then taken up. Mr. Moore continued the report of the Business Committee.

By privilege, Mr. Anderson introduced Rev. M. C. Briggs, and moved that he be invited to take a seat in the Convention. Carried, by acclamation.

Mr. Briggs thanked the Convention for the honor conferred on him, for such he considered it, to be associated with men who were striving for the attainment of such a noble object as the enfranchisement of their race.

Mr. James B. Jenkins, of Placerville, was introduced, and elected an honorary member. Mr. Jenkins stated that he was on his return to Baltimore, his former home, and was glad that he would be able to make a good report of the progress we are making in this State.

The Secretary announced that Mr. E. E. Duplex had kindly consented to assist him, and would make a summary report of the remarks and speeches.

The report of the Business Committee was continued, and the resolutions were amended and referred to appropriate Committees.

The Chairman of the Committee on Education made his report, which was read.

A motion by R. A. Hall that the report be adopted by sections was agreed to.

The Chairman of the Committee, in presenting the first resolution, sustained it in some very well-timed and appropriate remarks, urging the adoption of the resolution. It was obvious, he said, to every intelligent mind that we required greater educational advantages, the law at present only allowing schools where there are ten children, with discretionary power on the part of the Commissioners to establish schools for a lesser number. The law should be amended so as to give to every child the privileges of education. If they were not to have a separate school, let them be admitted to those already established. As a law-abiding and tax-paying class we are entitled to greater advantages in this respect than we now enjoy, and which it is unfair to deprive us of.

The first resolution was adopted.

The Chairman of the Committee, after reading the second resolution, stated that the Institute at San Jose, under the superintendence of Mr. P. W. Cassey, was in successful operation. The site, with the improvements thereon, could have been purchased two years ago for twenty-five hundred dollars, but that it was now worth four thousand. With the increased advantages possessed by San Jose the property will certainly still further advance in

value in the course of a couple of years more. At present the Institute was but poorly sustained. The Principal was a gentleman of distinguished ability. According to the most reliable information, the entire colored population of California is 4,086. A tax of one dollar levied upon each person would purchase the Institute, and leave a surplus of eighty-six dollars in the treasury; and with the probable success of an application for endowment by the Legislature of \$5,000, would place the Institute on a firm basis, and establish a school of a high order.

Mr. R. F. Shorter said he was one of the founders of the Institute. The land on which it is situated, embracing some four or five acres, could have been obtained at one time for fifteen hundred dollars. He also stated that he was well acquainted with the owner of the site, who resided in San Francisco. The location was well adapted for a high school. The Institute was first established by subscription, the teacher receiving fifty dollars per month for his services. After employing two teachers, the Institute had secured the eminent services of the present able and experienced incumbent, P. W. Cassey. W. A. Smith petitioned the Public School Commissioners for State assistance towards sustaining the Institute, and they responded by granting a subsidy of fifty dollars per month in furtherance of that laudable object, the resident children to derive the benefit thereof gratuitously.

Mr. R. A. Hall, who attended the Convention for specific purposes, thought that the present was the culminating time. Education was the theme that demanded our chiefest attention and labors. Now was the time when it became a paramount duty with us to carry out our resolves; to long for knowledge and learning, without putting our shoulders to the wheel in earnest, would never help to raise us out of the slough of ignorance. It was with pride that he saw the master spirits of the nation devoting their attention and assistance to the education of the Freedmen, which,

when obtained, would enable them to stand erect as men, compete with, contend for, and demand their rights as men, irrespective of race or complexion.

Mr. Ruggles next addressed the Convention. He endorsed the resolution for many reasons. When a slave in Louisiana, after having been sold five times, he was presented to a slaveholder. Upon one occasion, when an English gentleman, a friend of his master, was learning him the A, B, C, was strongly reproved, and informed that by so doing he laid himself liable to be imprisoned in the State prison. The gentleman was astonished. He learned to read and write by the light of the fire. Mr. Ruggles, in eloquent terms, urged mothers to commence the education of their children at home. Was angered when white men slandered his race, and felt grieved to think that some of the able colored men did not refute the charges.—What was one dollar to give? He was willing to give five dollars per month, and if any number of gentlemen would give twenty dollars towards the purchase, he would give fifty dollars. He wished it to revert, in all ages to come, that the Pacific coast could boast such splendid school advantages.

Motion, by A. L. Jackson, to postpone further debate until 12 o'clock to-morrow, stating he thought they would be able to secure the Methodist Church, on Sixth st.

Mr. M. C. Briggs kindly informed them that they could have it as early on the morrow and as long as they wished—which was received with loud applause.

The motion of Mr. Jackson was then put and carried.

Upon motion of Mr. Starkey, a vote of thanks was tendered Mr. Briggs for the use of his church.

Report of the Committee on Education.

Your Committee appointed to consider upon the subject of Education, present the following as their Report:

The greatest distinction between the human and the animal branches of creation, is the facility to acquire education of the higher grades. Some specimens of the animal creation may ac-

quire education to a certain degree, but there it stops—it can go no further; their instincts, by which alone they are governed, cannot carry them beyond that point. When the reasoning faculties come into requisition, the progression of the animal stops, and we see the power of the human mind.

Analization, comparison, analogy, description, and their kindred attributes, are all the results of reflection; and the reasoning faculties, which are distinct from the instinctive qualities of the brute, and are emanations of the God-like power from which source man has his being, and to develop which is his chief end and aim.

That can only be accomplished by his having all possible facilities of education, and every means open to him for improving his mind and enlarging his understanding; and to none are these facilities more requisite than to a race whose ancestors have for generations been deprived of all opportunities for mental improvement—against whom the portals of the Temple of Knowledge have been closed, and who are, even now, but emerging from the barbarism of slavery, and from whose minds the clouds of ignorance and superstition are just breaking away. Therefore, be it

Resolved, That we present a petition to the Legislature to so amend the School Law that colored children, by its provisions, shall receive the benefit of its advantages in common with others; and,

WHEREAS, The School at San Jose, being already established, and in successful operation, requires the prompt and earnest aid of our people, as well as their whole influence; therefore, be it

Resolved, That a contribution of one dollar be solicited from every colored person throughout the State of California to purchase the property of the San Jose School; and also, that the Legislature be petitioned for an endowment for the establishment of a High School. Be it furthermore

Resolved, That this Convention most earnestly solicit the shareholders composing the Livingstone Institute to contribute whatever funds they may have accumulated towards the objects above contemplated. Be it further

Resolved, That this Convention heartily approves of the objects of the Lincoln Monument Association, and that it will do all in its power to perpetuate the memory of the man who wrote the Proclamation that rent asunder the chains of four millions of bondmen!

W. H. HALL,
P. A. BELL,
T. M. D. WARD, } Committee.

A communication was presented from a Committee of Ladies of the Siloam Baptist Church, informing the members that a Fruit Festival would be given on Friday evening, in aid of the building fund of the church. Read and laid on the table.

The Chairman of the Business Commit-

tee presented the continuation of their report, when the several resolutions and recommendations were ably discussed.

Moved, that the report be adopted by sections. Carried.

The following is the

Report and Resolutions.

The Business Committee having duly considered the importance of the duty assigned them, respectfully present the following preamble, resolutions, and recommendations, as their report:

WHEREAS, This Government has just recovered from the terrible stroke of a just retribution of Almighty God, for the fearful crime of slavery, which brought the nation reeling and tottering upon the brink of ruin, with her highest hopes trembling in the great balance of immutable events; and; whereas, in the fearful reckoning of Divine Justice our nation was not entirely found wanting, and God's gracious hand has stayed the destroying angel of devastating war, upon his crimson wings, and the voice of the turtle of peace is heard in our land, therefore,

Resolved—That we rejoice in the suppression of the war and the overthrow of the rebellion in our land—the most formidable ever waged against justice and humanity.

Resolved—That we rejoice that this war has resulted in the overthrow of slavery, and its total extinction by Federal legislation, in an amendment to the Constitution.

Resolved—That we have a new love for the American Union, and shall ever willingly lay down our lives in defence of the great principles of our Republic,—for the glory of our country, the freedom of our race, the rights of our citizenship, and the preservation of the Union—maintained upon Republican principles.

Resolved—That if the American Government will become sufficiently just to accord to us the full rights of citizenship, we will flock to the American standard by hundreds of thousands at the call of the nation, to support those principles against enemies of the country—domestic or foreign.

Resolved—That as five millions of our race are equally interested with the rest of the American people, in those great principles that are now involved in the issues of the nation, therefore it is our highest and most sacred duty to bring into requisition every available means to assist us in the great contest for our claims to manhood and "Equality before the Law."

Resolved—That we believe the most potent elements any class of men can wield in the defence of their natural and political rights, are virtue, wealth, political franchise, and social unity.

Resolved—That we recommend our brethren in this State, and throughout the country, to aim to develop the highest state of Christian

morals, by maintaining true Christian and moral institutions, under the direction of faithful and pious leaders.

8.—That we especially recommend our brethren to maintain temperance among them.

9.—That we recommend our brethren to aim at the same high order of education developed among the white race, and to make such persistent claims on the public educational provisions, and to establish such institutions, where necessary and practicable, as will insure to us and our children that desirable condition.

10.—That wealth is an element of social power necessary to raise any people to an independent and influential position, and that we, as a people, should particularly direct our aims, our efforts, and pursuits, to its honorable acquisition.

11.—That no people can acquire wealth except they engage in those business pursuits by which it is originally produced.

12.—That the real source of the production of wealth, is agriculture, manufacturing, mechanism, commerce, and scientific professions.

13.—That we recommend our people to engage more generally in these independent pursuits of industry.

14.—That no people can secure the high respect of others while they put themselves at their feet to be their menials.

15.—That a State Executive Committee of one member from each Judicial District be appointed by this Convention, to whom shall be referred the unfinished business and the duty of carrying out the work organized and contemplated by this Convention.

16.—That while we acknowledge our unswerving fealty to the Government. We are greatly dissatisfied with the policy pursued by the Government, (since our immortal and glorious Lincoln fell); respecting those issues of the country that most immediately effects the colored Americans.

17.—That no Christian nation with any real sense of justice or humanity, could ask a class of people to assist in saving the Government from destruction, and after they had sacrificed hundreds and thousands of their lives to that effect, to then deny them of the common rights that nature has endowed them with; rights involving principles upon which the Government founded its political institutions, pronounced by them to be the natural rights of all men.

18.—That it is the imperative duty of parents, or guardians of children, to have them as far as possible, educated in some branch of business pursuits, by which they may be producers.

19.—That as memorialization is the common medium of appeal, by the American citizen, to the law making power, against all political grievances, therefore it is our right, and duty, to petition the Legislature of this State to have the State Constitution so amended as to secure its colored citizen the right of suffrage.

20.—That we appeal to them for our right of suffrage upon the principle of human justice, taught in the great Divine Rule, "do unto others, as you would they should do unto you;"—upon the principles of man's natural equal rights; on the principle of maintaining the principles of the Republic, as a claim upon every true American, true Union loving man, Patriot and Christian in the country, for their signatures to our petition.

21.—That an ably and faithfully conducted press is indispensable for the public vindication of our equal rights before the law, and to fully and impartially advocate our general interests.

22.—That there be a committee appointed by this Convention to prepare an address to the people of this State, on the subjects of general education, industrial pursuits and moral institutions, the said address to be published with our minutes, in pamphlet form, by a publishing committee. (Referred to publishing committee).

23.—That this Convention recommend our people in this State and throughout the country, to set apart through their religious leaders, a day of fasting and prayer, that Almighty God may control the nation's council at its next meeting, to ensure its legislation in favor of justice, humanity and equal rights to all men.

24.—That members of the State Executive Committee be instructed, and the members of this Convention, be requested to form County Executive Committees throughout the State, auxiliary to the State Committee, to further the purposes and effecting the objects of this Convention.

| | |
|---------------|--------------|
| J. J. MOORE, | } Committee. |
| E. P. DUPLEX, | |
| W. H. HALL, | |
| E. A. CLARK, | |
| R. H. SMALL, | |

Adjourned until the extra session, at 7 o'clock p. m.

Second Day.—Evening Session.

The President in the chair, and a quorum of members present.

Prayer by the Chaplain.

So much of the minutes as related to the special object of the meeting, viz: to receive statistical reports from the different delegations, was read and adopted.

Mr. R. H. Small rose to ask privilege to make a motion; it was pertinent to the subject matter before the house. Leave granted. He moved that Mr. P. Anderson be added to the Committee on Statistics. Seconded by Mr. Ward.

Mr. R. A. Hall opposed the motion. Mr. Anderson had shown his insincerity and his unwillingness to act in unison with other members. He delivered a speech here yesterday morning, by permission, and instead of leaving it with the Secretary, it was published in full. He would like to know whether it had been published by the Secretary, or whether some underhanded means had been used to accomplish it. He hoped Mr. Small would withdraw his motion.

Mr. Small said he had expected opposition; was satisfied the San Francisco delegation would oppose anything in which Mr. Anderson's name was mentioned; that gentleman, from his experience, was well qualified for the position, and he hoped he would be appointed. He did not wish to accuse the President of partiality in appointing Committees, but he thought a spirit of partizanship had been shown. He would not withdraw his motion.

Mr. Ruggles opposed the motion. The mover was not probably aware of many facts, but he would not relate them here. The Committee on Statistics be considered capable of performing their duty, and he did not believe they required any addition to their number.

The President, Mr. Barbadoes, left the chair, and Mr. Harper, 1st Vice President, acted in his stead.

Mr. Barbadoes wished to defend himself from the implied charge of partiality. He had no personal feeling against Mr. Anderson, but he doubted his sincerity. He (Mr. A.) opposed this Convention with all his force, accusing all who favored it of sinister motives and dishonesty. At last, finding it was a popular movement, he had, by unfair means, got himself elected a member of this Convention; and had not yet even expressed any change of opinion, hence he considered that gentleman unfit to hold any position in this body. Independent of that consideration, he had been governed in his selections for making Committees, by the ability possessed

rather than assumed; and he believed the House would sustain him in both points, and in excluding Mr. Anderson from the Committees.

Mr. Anderson threw back the charge of forcing himself upon the Convention. He was elected by a larger majority than any other delegate from San Francisco; he had not asked the gentlemen to bring the subject before this body; he would appeal to his constituents; he had been solicited by the Chairman of the Committee on Statistics for information, which he refused to give; he expected to be made the butt and victim of his foes, but his constituents would do him justice.

Several other gentlemen participated in the debate, when the question was called and lost.

The Convention then proceeded to the special order of business. The different delegations through their Chairman, presented statistical reports.

The reports were very interesting, and furnished a great deal of valuable information. They were referred to the Committee on Statistics.

Basil Campbell, delegate from Yolo, presented statistics from the adjoining counties of Colusa and Tehama, which were not represented. The delegation from Yuba county presented an able report.

Mr. Hubbard stated that since the colored citizens of California last assembled in Convention several of our friends and representative men who formerly joined with us in our deliberations, had been removed by death; and by permission of this Convention he would, on Friday evening, deliver an eulogy on the lives, characters and services of the late Wm. H. Newby, John Freeman, Jr., John G. Wilson and Wm. N. Bedford. He then moved that a Committee on Condolence be appointed. Carried.

The Chair appointed Messrs. J. H. Hubbard, P. Kellingworth, and R. H. Small.

Moved that we adjourn, to meet to-mor-

row morning in Mr. Brigg's church, on Sixth street. Carried.

Prayer by the Chaplain.

Adjourned.

FRIDAY, OCTOBER 27TH.

Third Day.—Morning Session

Convention met this day in M. E. Church, Sixth street, at 9 o'clock. The President called the House to order.

Prayer by the Chaplain.

Roll called. Minutes of last meeting read.

While the Secretary was reading the minutes, Mr. Yates moved that only so much of the minutes as related to the business of the present meeting be read. Carried.

Mr. Yates moved that the 16th resolution be re-committed to the Committee, with instructions to amend. He said we were not in a position to dictate to Government; we were not able to judge what was to come. President Johnson has the ghost of John Tyler to warn him against treachery; the living shade of Millard Fillmore to bind him to the principles he professed, and the Constitution to define his every act, it is impossible for us to throw cold water on what has been accomplished. The time was not very distant when the black man was looked upon as a political leper, and for our friends to defend us was political death. More has been accomplished within the last four years than I ever expected to see in my day and time. We are willing to pay the price of liberty, as has been fully demonstrated.

Mr. Moore urged that the time had arrived for men to speak out boldly, and let the world know what we think as men. He is opposed to anything like cringing. We have a perfect right to read and criticize the acts of our Government. President Johnson will hear the appeal of the most humble black man, when properly presented.

Messrs. Small and Clark advocated the passage of the resolution, in some well timed remarks.

R. A. Hall hoped that all sensitiveness would be laid aside, and that all business before the House would be deliberated upon and be despatched as speedily as possible.

Mr. Yates withdrew his motion to re-commit.

Reading of the report continued.

Mr. Ward moved that so much as refers to industrial pursuits, viz: resolutions 12, 13 and 14, be referred to the Committee on that subject. Carried.

The balance of the report was thereupon received and adopted.

Mr. Yates offered the following resolution:

Resolved—That we sympathize with the Fenian movement to liberate Ireland from the yoke of British bondage, and when we have obtained our full citizenship in this country, we should be willing to assist our Irish brethren in their struggle for National Independence; and 40,000 colored troops could be raised to butt the horns off the hypocritical English bull.

Mr. Yates was opposed to English Autocrats, for as soon as the war broke out that "cotton superceded wool;" favored Fenianism, believed in universal liberty, that the Irish position was one of oppression, alike with the slave. The assertion was made that the slave would fight, but the freemen would not. We nobly refuted that in the glorious 54th Massachusetts, which was composed of different material from any regiment that preceded it; many of them were formerly slaves, and, to be taken a prisoner, Andersonville would be excelled. Their record we all know.—Would like to see forty regiments of Irishmen defended by forty regiments of blacks, go across the Atlantic to help give liberty to the oppressed of Ireland. I would gladly number one of them. He hoped it would be referred to the Business Committee.

Wm. H. Hall hoped the Committee would endorse something of the kind. The resolution was not introduced for any bun-

combe ; he was serious in advocating the matter. Politicians had prejudiced the Irishman against the black man ; he believed in universal liberty, irrespective of color.

Mr. Hubbard opposed the resolution. He considered the Irishman the most deceitful of all nations ; were controlled largely by the Roman Church. We will forget self to extend a helping hand across the ocean to the Irishman.

Mr. Small favored the resolution, and thought one of the proudest things a black man could do would be to assist with forty thousand men, or more, in writing Emmett's epitaph.

Mr. Hoyt said it was better in passing resolutions to word them as we mean. Favored broad, universal freedom ; God will break down the barriers over right ; the Chinese and Indians in our very midst stand in need of our sympathy and encouragement.

R. A. Hall (by permission), thought both sides should be heard ; did not believe the Pope ever instructed Irishmen to hate and abuse the black man ; such sentiments as those of Daniel O'Connell he loved, who would willingly sacrifice life for the freedom of his people.

Mr. Hubbard alluded to the published statement of Bishop Hughes, who went to Rome a Union man, and returned a Copperhead at heart.

By Mr. Bell.—Mr. Hughes never was considered a sound Union man.

The motion was laid on the table.

Report of the Committee on Industrial Pursuits read and received.

It being 12 o'clock, the special order, the report of the Committee on Education, was called up.

The Address and Resolutions were ably advocated, and the report adopted.

The Finance Committee reported progress. They recommended that each member be taxed \$3, to pay the expenses of the Convention.

Mr. Anderson moved, as an amendment to the report, that the tax be \$2.

Amendment lost, and the report and recommendations adopted.

The roll was called, and the members paid \$3 each.

Mr. Anderson paid under protest. He said he should appeal to his constituents.

Moved that the honorary members be exempt from taxation. Carried.

Benediction by the Chaplain.

Adjourned.

Third Day.—Afternoon Session.

The President, F. G. Barbadoes, in the Chair.

Prayer by Rev. J. H. Hubbard.

Roll called. Minutes of last meeting read and approved.

J. R. Starkey, Chairman of Committee on Statistics, presented the following report, which was adopted :

STATISTICAL REPORTS.

The Committee on Statistical Information, in presenting their report, beg leave to say that they regret the limited means which have been afforded them on which to base a report such as they would like to present to the Convention, as evidence of the progress in wealth, morals, education and industrial pursuits of the colored people of California. That we have made and are making continual progress in all the above, is undeniable, and we offer our brief and imperfect report of such progress to establish our claim to the rights and privileges of citizenship :

San Francisco County.

Population.

| | |
|---------------|-------|
| Adults..... | 1,600 |
| Children..... | 250 |
| Total..... | 1,850 |

Religious and Moral Institutions.

| | |
|---------------------------|----------|
| Churches..... | 2 |
| Value..... | \$50,000 |
| Members..... | 250 |
| Attendants..... | 800 |
| Beneficial Societies..... | 4 |
| Funds..... | \$4,000 |
| Members..... | 140 |
| Masonic Lodges..... | 4 |
| Members..... | |
| Sabbath Schools..... | 8 |
| Pupils..... | 120 |

Common Institutions.

| | |
|--|------------|
| Public Day Schools..... | 2 |
| Pupils..... | 120 |
| Public Night Schools..... | 2 |
| Pupils..... | 60 Adults. |
| Colored Children in Catholic Schools.. | 10 |

Livingstone Institute.

| | |
|----------------------------|---------|
| Funds..... | \$3,000 |
| Caulkers' Association..... | |
| Members..... | 9 |

BUSINESS PURSUITS.*Mechanics, Manufacturers, etc.*

| | |
|----------------------------------|----|
| Painters..... | 4 |
| House Carpenters..... | 3 |
| Ship Carpenters..... | 2 |
| Caulkers..... | 9 |
| Boot Makers..... | 4 |
| Tailors..... | 3 |
| Brick Layers..... | 2 |
| Plasterers..... | 2 |
| Blacksmiths..... | 4 |
| Hose Makers..... | 1 |
| Segar Makers..... | 2 |
| Tinners..... | 1 |
| Upholsterers..... | 2 |
| Dress Makers..... | 10 |
| Seamstresses..... | 5 |
| Milliners..... | 3 |
| Ladies Hair Dressers..... | 9 |
| Tobacco Manufacturers..... | 4 |
| Soap and Tallow Manufactory..... | 1 |
| Fancy Soap Manufactory..... | 1 |
| Hair Restorative..... | 1 |
| Fancy Hair-workers..... | 2 |
| Laundries..... | 10 |
| Junk Stores..... | 2 |
| Teamsters..... | 20 |
| Real Estate Agents..... | 2 |
| Barbers..... | |

Liberal Professions.

| | |
|----------------------------------|-----------|
| Clergymen..... | 10 |
| Editors..... | 2 |
| Total Wealth of City and County. | \$750,000 |

Sacramento County.

| | |
|--|-----|
| Number of Adults in City and County. | 470 |
| Number that can read and write.... | 375 |
| Number that cannot read or write.... | 95 |
| Number Children in City and County.. | 150 |
| Number attending school..... | 49 |
| Number not receiving instruction..... | 101 |
| Sabbath Schools 2, membership of.... | 44 |
| Eight Teachers two Superintendents. | 10 |
| A library belonging to each school, consisting of 350 volumes. | |
| Number of Churches..... | 2 |
| A. M. E. Church, Rev. J. H. Hubbard, Pastor in charge, 32 members. | |
| Baptist connection, Rev. Amos Johnson, 22 members. | |
| Number of Mechanics..... | 18 |
| Farmers..... | 10 |
| Doctor..... | 1 |

No person in the county supported by the public, or benevolent societies.

Amount of Church and public property belonging to colored residents....\$4,600

But one colored person in the County Hospital.

Amount of real estate and other property.....\$137,245

Total amount of property represented by the people of color of this city and county, as far as can be ascertained.....\$141,845

Yolo, Colusa and Tehama Counties.*MADE BY BASIL CAMPBELL.*

Adults .. 16 Children.....5
Total population..... 21

Number who can read and write.....15

Property owned in the county....\$17,900

Farmers and Stock-raisers.....5

Stock-raisers without farms.....4

No school in the county.

As there are no delegates from the adjoining counties of Colusa and Tehama, I beg leave to report the condition of those counties, as far as I am acquainted. In the county of Colusa there are,

Adults.....8 Children.....13

Total population.....21

Number who can read and write.....5

Property owned in the county....\$22,300

Farmers and Stock-raisers.....5

Stock-raisers without farms.....2

No school in the county.

In the county of Tehama there are,

Adults.....14 Children.....17

Total population.....31

Number who can read and write.....15

Property owned in the county....\$29,300

Farmers and Stock-raisers.....7

Stock-raisers without farms.....2

No school in the county.

Recapitulation of the three counties:

Adults.....38 Children.....35

Total population.....73

Number that can read and write.....35

Property owned.....\$69,500

Farmers and Stock-raisers.....17

Stock-raisers without farms.....8

El Dorado County.

Male Adults.....190

Female Adults.....75

Children.....49

Total.....305

Number that can read and write.....223

Occupations.

Mechanics.....4

Miners.....50

Farmers.....14

Hair Dressers.....25

Laborers.....40

Aggregate am't taxable property. \$75,000

One Church, owning two lots.

No school in the county.

Santa Clara County.

Total population.....175
 Real estate and personal property \$75,000
 One Church, of the Methodist persuasion.
 One colored school, sustained by the Common School Fund, P. W. Cassey, teacher. He receives for his services \$50 per month. In addition to this, P. W. Cassey keeps a boarding-school, which, at the present time, is well patronized.—There is an educational institution in this county, called the "Phoenixian Institute," which was organized in the year 1862, and is now in a prosperous condition.

Most of the colored people are engaged in agriculture—very few are employed as menials. They are a sober, industrious, religious, and plain-dealing people.

Sonoma County.

Adults.....55 Children20

Occupations.

Farmers.....10
 Carpenters.....2
 Blacksmiths.....2
 Barbers.....7
 General laborers.....12

One church, and one school-house.

Estimated valuation of property..\$25,000

REV. P. KELLINGWORTH,
 Delegate from Sonoma.

Napa County.

Amt of property, real and personal..\$51,000
 One school, established by the Board of Education. Owing to the limited amount of money in the School Fund the parents are assessed \$1 50 per month for each scholar. In several districts where there are not ten colored children, those that are living in such districts are growing up in ignorance.

There are no colored churches.

WM. H. CHRISTOPHER,
 Delegate from Napa.

Mariposa County.

Number of Families.....10
 Children.....20
 Quartz Miners.....10
 Placer Miners.....20
 Ranchers.....5
 Blacksmiths.....2
 Barbers.....2
 Painter.....1
 Boot-maker.....1
 Tailor.....1
 Estimated value of property.....\$20,000

M. L. ROGERS,
 Delegate from Mariposa.

Merced County.

There being no delegate from this, the adjoining county, Mr. Rogers made the following report:

Male Adults.....11
 Female Adults.....8
 Children.....8

City of Marysville and Vicinity.

[Comprising part of Yuba county.]

Number of Adults.....156
 Children under five years of age.....24
 Children over five years of age.....26

Total.....206

Estimated wealth.....\$163,690

Occupations.

Barbers.....18
 Vegetable, fruit and poultry dealers.....6
 Pork-raisers.....7
 Soap manufactory.....1
 Fancy hair-workers.....2
 Druggist.....1
 Junk dealer.....1
 Bath-house keepers.....3
 Carpenters.....2
 Engaged in Laundry business.....10
 Cooks.....5
 Farmers.....26
 General jobbers.....12
 Hostlers.....3
 Seamstresses.....4
 Dress-makers.....4
 Public Porters.....11
 Miners.....12
 White-washers.....4

Number of Churches, 2—both unfinished, though occupied. The Baptist Church is entirely out of debt; the Methodist owes about \$400. One Public School; average attendance about 20 Two Sabbath Schools, fair attendance. Mining Companies, 3; in two of which well defined ledges have been struck. The Rare Ripe Company has been incorporated, and about \$2,000 has been expended upon it. The highest yield per ton, \$25. No work has been done for several months, owing to some of the stock having to pass through administration. Will resume work again in a few days. The morals of the people are good. No drinking saloon, billiard saloon, nor gambling dens, in the county. No professional gamblers.

In conclusion, your Committee regret that they have not been able to present a more general report, in consequence of the small number of counties represented in the Convention, and the very short time they have had to prepare the report, and the impossibility of procuring, at the present time, sufficient information to enable your Committee to prepare a report based upon the entire colored population of the State. All of which is respectfully submitted.

J. R. STARKEY,
 DR. BRYANT, } Committee.
 M. L. ROGERS, }

The Secretary said that he wished to give a Homographic Chart of this Convention, and he therefore moved that each delegate be requested to furnish the following information: Time and place of birth, when arrived in this country, present place of residence, and occupation, and social or family condition. Carried.

Mr. R. A. Hall, Chairman of the Committee on Elective Franchise, presented the following

Report of Committee on Elective Franchise.

TO THE HONORABLE THE LEGISLATURE OF THE STATE OF CALIFORNIA—

Gentlemen:—The undersigned, citizens of the United States and of the State of California, respectfully present to your honorable bodies, the Senate and House of Assembly, this, their petition, and showing for your honorable notice that we are an industrious, moral and law abiding class of citizens, professing an average of education and general intelligence; born upon American soil, and paying taxes yearly upon several MILLION of dollars, and upholding all the institutions of our common country, as recently demonstrated by the employment of two hundred thousand of the negro population in the late great rebellion,—whose courage and loyalty have been testified to by many distinguished commanders, and whose whole record has never been disgraced by a single black traitor. We would most respectfully ask of your honorable bodies, in view of the above multiplied merits, an amendment to the Constitution of the State of California, in Section 1st, Article II, of said Constitution, so that the same may read as hereinafter set forth, to the end that American citizens of *African descent*, and such other persons of African descent as may have provided to become citizens, may be admitted to the rights of Suffrage and Citizenship of the State of California.

Respectfully submitted,

R. A. HALL,
W. H. YATES,
E. P. DUPLEX,
J. R. STARKEY,
D. W. RUGLES,

CONSTITUTION OF CALIFORNIA,

Article II.

RIGHT OF SUFFRAGE.

Section 1—Every male citizen of the United States, of the age of twenty-one years, who shall have been a resident of the State six months next preceding the election, and the county or district in which he claims his vote, thirty days, shall be entitled to vote at all elections which are now, or hereafter may be authorized by law: provided, that nothing herein contained shall be construed to prevent the Legislature, by a two-thirds concurrent vote, from admitting

to the right of suffrage Indians, or the descendants of Indians, in such special cases as such a proportion of the Legislative body may deem just and proper.

The report was read, and on motion to adopt, Mr. Wm. H. Hall delivered the following impressive and eloquent speech:

MR. PRESIDENT:—I have refrained from intruding upon the time of the Convention until now, but the importance of the question presented here for consideration, brings us before the American people of California, to-day, to ask their decision upon the great subject of negro suffrage. It is the most momentous issue ever addressed to public opinion, and embraces the political prospects of all parties, as well as the duration and destiny of our Republican institutions.

Fifteen years ago, when the despotism of slavery was at the height and plenitude of its power, and every interest, social and political, subverted its ends, California, in drafting a Constitution as one of the sovereign States of the Union, decreed that no bondsman ever should be held by legal enactment or constitutional law within her limits. In laying down this broad principle of liberty and self-government, her citizens were not actuated by the spirit of '76; they did not desire to recognize the negro as a man, nor to elevate him as a brother, but they seemed to be guided by an axiom of the learned Blackstone, in his theory upon the origin of governments, where he asserts that "The only true and natural foundations of society are the wants and fears of its individuals." The men of New England birth and education who exercised a predominating influence, comprehending the magnitude of this dictum, and stimulated by the immense mineral and agricultural resources opened to industry, could not tolerate a system that enabled one man with his hundred poor, black, ignorant slaves, to compete with the brains, the energy and toil of the same number of white freemen. They knew they owed fealty to compromises and expedient fugitive slave laws, but the greater law of self-preservation outweighed all supposed obligations and consecrated the virgin soil of this young State to freedom. Sir, we have lived and prospered under the experiment, through the devastations of floods and fires, and Heaven still continues to bless the land. The motives that prompted the adoption of a free constitution in 1850, were those of policy, and are equally paramount now upon the expediency of negro suffrage. California did not actively participate in the conflict of the great rebellion; she has no sins to atone for to her disloyal element for the entombing of thousands of Southern chivalry; but when dread embarrassment nearly neutralized the efficiency of the Government, when gold and silver were like drops of precious blood oozing from a decaying body, her hardy sons drained her hills and valleys to retard the inflation of a paper currency; to restore confidence to the farmer, the me-

chanic and the merchant, and once more to unbar the closed doors of the manufacturer to employment. What she failed to give physically was imparted materially, and every thousand hard dollars sent at such a critical time, from these golden shores, was equal to a brilliant victory won by the fearless Hooker—towering in the clouds, or the gallant Porter, ploughing the majestic waters of the Mississippi. The vital question to be seriously pondered over by the Union men, who have been baptized in the grace of the Emancipation Proclamation is: If it was impolitic, at the adoption of the State Constitution, to confide its influence and power upon those inimical to free labor, what can be gained now by permitting the same lurking, ambitious spirits to exercise privileges over the loyal negro, under the beneficent government they have aimed to strike from the family of nations? Do sane men believe that the temper which impelled the atrocities at Andersonville, capable to purify the Tory blood that sanctified the Hartford Convention, and reared that ephemeral dynasty at Richmond, which laid its corner-stone amid the agony of human sufferings? A mere amnesty oath, not sacred enough to quiver the lips of those who rejoiced at the massacre of Union soldiers upon the bloody plains of Fort Pillow, cannot attest the fixed determination of unfeeling hearts. A thousand pardonings from a lenient President, a million voices sounding the redeeming grace of God's eternal word, will never remove the damning prejudice against the negro, and unappeasable hatred nourished against Yankee enterprises, Yankee ingenuity and Yankee success. The opponents of a reconstructed Government and of a reunited people are not yet appeased to the humiliation of defeat; they are of a proud and revengeful spirit, educated in the opinion that they were born to rule, and dispense whatever immunities may accrue; they have not yet relinquished the purposes they sought to accomplish upon the field of battle; they are determined again to be in power, to curb the despised Yankees in all their aims, and grind deeper down in despair the unprotected negro. To perfect this unholy purpose, they may be seen merging with Short and Long Hairs, rallying under every deceptive banner, spreading their canvas to catch the popular breeze of the great People's Party, and in order to mislead, divide and scatter these great elements of Unionism, founded upon the patriotism of the immortal Lincoln, they are endeavoring to arouse the vulgar passions of the ignorant upon false issues against the negro's undoubted claims to equality before the law. I am here, sir, though of humble social position, and without notoriety, to warn those who are conservators of the public peace, in whose places another generation, perhaps not so well experienced, are soon to stand, that the loyal heart and well directed vote of the negro should now be summoned to counteract the deep laid schemes of involving this nation in another revolution—not a revolution swayed by vast armies, complete navies, and military he-

roes, eclipsing the world in wonderful daring—but an insidious revolution of public sentiment, undermining the virtue and morality of the people, and drifting every noble impulse of the human heart down the vortex of corruption.

This assemblage, in behalf of the colored people throughout the State, and whose labors are indissolubly bound with all her interests, ask to become equals before the law, not from sympathy with their condition, but as they are made amenable to all her laws, simple justice demands that they should have a voice in selecting the administrators of its powers. They seek it upon the assumption that they are no longer an enslaved race, but full citizens according to the decision of Attorney-General Bates, and the recognition and acceptance of a black man in all his rights in the highest tribunals of the land. If the people of free and progressive California can jeopardize their reputations for these great qualities of discerning expediency, by withholding so great a boon, when considering their attitude with the progress of liberal principles, they will stand disgraced and condemned before the world for pretending to be governed by that sublime emanation that declares "all men free and equal."

It is urged by Copperhead malice and stupidity, that the negro is too ignorant to vote. May I not remind the authors of this evasive and flimsy pretext, that the negro in America, like the Israelites among the ancient Egyptians, have watched superior character, assimilated with the same ideas, and imitated the same virtues, until out of a servitude of two hundred and fifty years, they have not only made a name which is a power of strength among civilized mankind, but they have reared a nationality which is coextensive with the fame and future of the American people. The poor negro has indeed been severely scourged. Meeting the contact so long denied his ancestry, but which was essential to their full development, it has made them a new born race looking through a long vista of departed years, and mourning over the past barbarism of the race. Thank God, sir, they are in America, and especially in our beloved California, no longer discordant in feeling. Every heart moves by the touch of that chord which reverberates the sacred anthem of freedom; they are no longer content with the inklings that escape the white oppressors' tongues, because they have too often heard those tongues one moment breathing devout prayers to the Majesty of Heaven, and then again, almost in the same breath, uttering curses upon the weak and despised. The false duties of superstition have ceased to encumber their understandings, and truer oracles in the persons of refined colored men are reflecting the living light of truth; black men are making and recording their own history; writing their own literature; coining their own poems; preparing their own school teachers, and disseminating useful information where it was never tasted or known before.

The press, that mighty pendulum of human liberty, is now partly wielded by Anglo-African

genius. Refined by the great variety of learning that is open to all, it is effecting a mighty work and changing the tide of events; its columns are perused in the mansions of rulers, the halls of legislation, the sacred precincts of the judiciary, and the humble cabin of the miner; it is emancipating the minds of those in wisdom and power from error, while it teaches its less favored votaries the grand principles upon which governments are founded, and its salutary prerogatives over all its subjects. Our people, being accustomed to act as directed, are quietly but surely receiving the new light that is breaking in upon them, and in anticipation of a higher sphere of action, are mastering the difficulties of language, the intricacies of social and political law, and the breadth and scope of Constitutions. What class of citizens are they who would smother the infant efforts of a struggling race, just emerging from the darkness of a long night into the bright beams of a dawning day? Can it be the noble born American who will refuse us the right to drop a ballot as well as to aim a bullet? They should recollect that their hours of youth, their days of manhood, and their decline of years, have been tenderly watched by the negro's kindness since the Republic was rocked in infancy. Can it be the warm and generous-hearted Irishman, who first received here, in his adopted country, those gems of liberty that reverted his imagination back to the heroic death and epitaph of Emmet, the gifted eloquence of Walton, and the patriotic lessons of the incomparable O'Connell,—whose thrilling tones ever went to the hearts of men for liberty and equality to all races of men? Sir, do not tell me it is the honest and toiling German, whose fatherland has so long kept the undimmed fires of freedom and independence so brightly burning. Why is it the charmed land that cradled renowned Luther and moulded the transcendent genius of Schiller. When did these people prove recreant? For their love and struggles for liberty have illumed all Europe and the world, from the dread conflicts of past ages to the memorable revolution of 1848. Do I hear that it is the chivalric son of gigantic France, whose own great Lafayette dedicated life and fortune to the maintenance of the rights of man? Have they degenerated from the electric of the Marseillaise battle hymn of liberty, or will they attempt to wipe from memory the aspirations of their sincere but dreamy Lamartine? To all these people of different races, speaking different languages, and having diverse notions of the true policy of the American Government, I know that plausible argument will be produced by our antagonists against the negro's right to equality before the law. But every righteous cause has always been assailed by subtle argument and almost convincing logic. It is little over the lifetime of temperate men when England's most astute statesmen endeavored to make America believe that George III. had a divine right to impose upon the infant colonies "taxation without representation;" but Patrick Henry, in the House of Burgesses of Virginia, and black Crippas Attucks, in

the streets of Boston, demurred, and the once humble dependencies are now a mighty and expanding nation. I need not cite the massacre of St. Bartholomew, where the poor but faithful Huguenot bit the dust of persecution, the horrors of the Spanish inquisition, and the inhuman cruelties of the monster Philip the Second—all of which have been justified by as potent argument as that now produced in opposition to the negro's elevation. The negro's right to vote is indisputable, because wherever his mind has been educated he has given the same evidences of proficiency, because he has measured steps with the highest perfection of man's courage, by three times signally reaching the country from the most impending dangers; because the wise men who lived about the time the National Government was framed, gave black men the right to vote in North Carolina, Virginia, Maryland, Delaware, and many other slave States, without detriment to the general weal; and it is a historical fact, that there is no word, no line, nor article, interpretative or constructive, embodied in the great instrument, that invalidates the rights of freemen, white or black, from its adoption, eighty odd years ago, down to the infamous dogma uttered by Roger B. Taney (oh, that execrable name, equal in infamy with the notorious Jeffries). the Dred Scott decision, enunciating that black men had no rights, because God so willed the color of their skins,—has left an indelible stain upon American jurisprudence, which in a free country should be the most important and useful to all classes of men. Why, sir, the spotless fame of Storey and Marshall will nearly become tarnished in veneration of future generations through the very process of contact that seated such a man upon the same bench or under the same roof where they dispensed the Godlike attributes of justice. The word white, Mr. President, in the Constitution of California, is anti-republican—at variance with the good sense and magnanimity of her people, repugnant to many of her sister States, inconsistent with the present age, and unwise when considered in connection with the intercourse soon to be established with the copper-colored nations of China and Japan. We, as black men, concede the fact that a few years since, when our interest was mingled with slavery and degradation, and when the interest of this flourishing State was under the dominion of such satellites as W. M. Gwin, and P. T. Herbert, and J. B. Weller, that the black race had nothing to look for but cold indifference and contemptible hatred; but now that the country is reeling upon the brink of ruin, with a yawning abyss of destruction awaiting to receive its crumbling wreck, we ask, calmly but firmly, shall we not be allowed once more to prop its mighty superstructure, so that it may stand the ravages of time? Remember, men in power, the vast responsibilities resting upon your judgment. Other nations have passed through somewhat similar ordeals like yours before they became strong and consolidated; but none like yours have ever been seen trying to devise escapes from the strongest and most

reliable element of their support. If you are inspired by that patriotism that sinks all consideration of prejudice, to the greatness and glory of America's future, then all will be well. But if expediency and narrow contracted views govern your councils, and the unmistakable purpose of Divine authority be disregarded, then, like the perverse nations of old, grand and now beautiful America will be mingling with their mouldering decay.

After Mr. Hall had concluded, Rev. Mr. Moore said :

MR. PRESIDENT:—On rising to address this Convention upon the momentous subject (political franchise), the first great right of an American citizen, which we are deprived of in this State by a Constitutional prohibition, I am aware, sir, that for me to attempt to supersede the able speech of the gentleman who has just taken his seat—whose masterly oratory, stirring pathos, and thundering eloquence, has captured every thought in the house—such an attempt by me would be the vainest act of my life. Yet, sir, I cannot let this great question of our right to the political franchise pass, without adding a word in behalf of our claim to that right.

I wish, sir, to make a few remarks upon the ground of our appeal to the State Legislature for the concession of our right of suffrage, by an amendment to the State Constitution, so as to secure to us this God given right. The Chairman of the Committee on Franchise, in his very profound remarks on presenting the able report, made a brilliant allusion to the unequalled bravery of the American negro as a soldier—as tested in the bloody strife of the rebellion just past, where the nation's existence was staked upon the battle-field, in a chance at war. From this point he presented a masterly appeal as a basis of our claim. Now, sir, to this category of argument in favor of our sacred cause, we wish to contribute. Sir, in the outset we appeal to the Legislature of a Christian people for our right of suffrage, upon the broad principle of human justice, as taught by the great rule, "Do unto others as you would they should do unto you." Ask them, if, in our stead, they would be willing to consent to such injustice as we suffer by them. Would they like such treatment at our hands? If honest in their answer, they will tell us no. Ask them if it was wrong for England to impose upon their forefathers "taxation without representation?" They must answer yes, or condemn their revolutionary fathers. Ask them if taxation without representation was any greater injustice imposed upon their forefathers, by England, than as imposed upon us by the law of this State? If candid, they will answer no—Why, then, will a Christian people commit such a flagrant wrong, which they so loudly condemn in others? Why will they perpetrate a knowing wrong upon a people because they know that they have not power to vindicate by force their just rights?

We appeal to them upon the principle of man's natural equal rights, as vindicated and

set forth in the "Declaration of American Independence"—upon which rests the foundation of the Republic. That declaration sets forth that "All men are created equal" in human rights, or have the same natural rights, which man cannot justly invade or take away; and that to secure these rights equally to all men, "Governments are established among men, deriving their just powers from the consent of the governed." This is the doctrine of the Declaration of Independence; if this sentiment is wrong, why do not the American people blot it from their political creed? If it is right, then we appeal for our natural right to "Equality before the Law," as it sets forth. We appeal to them as friends of their own Republican principles, which they violate when they refuse us the right of suffrage.

We ask for our rights, upon the principle of our loyalty; we have never sworn falsely to the Government; we have never taken up arms against it,—we have never attempted to betray it into the hands of foreign powers. This is what no other race of men can truthfully assert in America. We have prayed for it—fought for it—bled for it, and perished by thousands in its defence.

We make our appeal upon the principle of our patriotism. We have consecrated every battle-field of the country with our blood, to maintain its existence, from our love to the country, while it thrusts us with a cold heart and villainous hand from all its political rights and immunities. We rallied around its only standard of hope and fought in, deadly battle, the countries worst foes, foreign and domestic. He who doubts this, let him read the history of the death warrants of the battle grounds from Bunker Hill to Richmond, where black American warriors now sleep in their bloody winding sheets, in thousands. No race on American soil, has given such proof of patriotism as the black race; without boasting, we challenge a refutation of this position. We ask history, has any other nation on earth, under the light of Christianity, (but America), disfranchised its most loyal and patriotic citizens; preferring to grant franchise to those that have desired and aimed to destroy the Government? We ask our Government to be as Republican as England, though pronounced a tyrannical monarchy. She gives her black and her white citizens alike privileges in political franchise; while in Republican America, white citizens only have the universal privilege of suffrage. We ask for our right to "Equality before the Law" upon the principle, that, if it does not degrade the white man to fight along side of the negro on the battle-field to save the country, or save the lives of white American citizens, it will not degrade white men, to vote side by side with negroes, to preserve a Republican form of Government, and preserve the country from another war, which it does not require inspiration to predict, if the claims of justice are not meted out in Government affairs. We claim our rights of suffrage upon the ground that the opponents of our right to "Equality before the

Law," have never adduced a single sound argument to prove what they raise as an objection to our right of suffrage; that is, that it will degrade the white man, deteriorate the Saxon race, amalgamate the two races, and take the country out of white men's hands. We can prove by calling the history of the country to our support that the spirit that opposes the black man's right to "Equality before the Law," has been baptised by the very institution of the country, (slavery), that has been fostering for two and a half centuries, the very evils of which our enemies pretend to fear.

The thirteen original States, at one period of their history, (all but South Carolina), allowed their colored citizens to vote; and history does not place a single fact upon record, showing that granting the negroes the right of suffrage in any of those States engendered amalgamation of the black and white races, or that it caused a deterioration of the Saxon race, nor was the Government ever threatened with black sovereignty. No! this was not the fear of political power in the black man's hand; it was slavery looking out for its own interest, feared the free negro in political power; because he was of the enslaved race, and in stronger sympathy with the slave; it took its stand-point in South Carolina, and swept from the negro's hand the ballot box in every State it could influence politically; and it is the spirit of slavery that now opposes negro suffrage throughout the land.

We hurl back with scorn and contempt the frequent intimation of scurrilous newspapers that granting us "Equality before the Law," would induce us to thrust ourselves into the society of the whites. Notwithstanding they, through their beloved institution of slavery, have thrust their race upon us,—we want it to be particularly understood, we never have had and are not likely to have, any particular fondness for the Saxon race above our own. Whatever isolated cases of amalgamation of the two races have occurred in any part of the country, on marriage principles, on the part of the whites it has been mostly the Irish, who pretend to be the most violent enemies of negro rights; and what is a remarkable truth, that where such conjugal unity takes place, while the party of the Celtic race retains his caste or social standing, the party of the African race loses his caste or social standing generally among his sable brethren, of the higher order of society. We appeal to every true American whose voice shall resound in the proud capital over which the glorious stars and stripes shall float, to give us our rights in the name and spirit of the murdered and immortal Lincoln, who sealed our rights with his hallowed blood, who said this people, (the colored), ought to have "Equality before the Law."

Upon these logical principles we make our simple, unsophisticated and earnest appeal to every friend of justice and humanity—every Republican, true Union loving man and Christian, in the Legislature, in the State and in the

country. In vindication of our holy cause, we appeal to every true Union journal in the State and on the Pacific coast, while we shall also supplicate with Christian fervor, the Great Sovereign of all men, and of all nations of men, and the absolute defender of human rights, and all great principles in his moral government; to Him also will we appeal for an interposing hand in the defence of our glorious cause, while there is a sable American son to plead for justice to his race. This is our land where we have had our birth, for it we have fought and bled, here we will remain, as a race, until eternities thunders shake us from this soil.

The debate was further continued by Mr. R. H. Small, who said he would be false to his constituents and to his principles if he did not express his own and their sentiments of the adoption of the report and the memorial or petition. In urging our claim to equal rights we should occupy the highest position; we should be importunate and persistent; we should request of the Legislature the privilege of telling our own story; we should have our orators, men of eloquence, to address the Legislature on that important subject; we should also have our agents and orators to canvass the State, and appeal to the people. There is nothing more powerful than eloquence to sway the minds of the people. We should, by our orators, present stirring, eloquent appeals to the dominant race for our rights. There is nothing of greater influence than the living, breathing agent. The press is also an important element in this matter, and we should support our newspapers, as a fearless, outspoken periodical is greatly needed. We have many white friends whose papers speak nobly in our favor; but we can best tell our own story, and advocate our own cause. He was in favor of adopting the report.

On the conclusion of Mr. Small's remarks the report of the Committee on Elective Franchise was adopted.

Rev. T. M. D. Ward, Chairman of the Committee on Industrial Pursuits, presented the report of the Committee, which he prefaced with appropriate remarks.

Report of the Committee on Industrial Pursuits.

We, the Committee, to whom was assigned the duty of reporting on Industrial Pursuits, beg leave to submit the following:

WHEREAS, the aphorism long since expressed that the indolent shall eat the bread of sorrow, has been abundantly corroborated by the experience of the past, therefore it is an ordination of God, that man shall earn his bread by the sweat of his brow; toil and suffering, care and sorrow, are in this life our allotted inheritance. Would we command the respect of the ruling class, we must possess a knowledge of mechanism, become owners and tillers of the soil, abandon the cities, drop menial employments and become producers as well as consumers. We, in our conventional capacity, conceive it to be the imperative duty of parents and guardians to give their sons trades and teach them the dignity of labor. He who will not work shall not eat, is the stern declaration of *Sacred Writ*. The young men who spend their time in idleness, or what is still worse, in following vocations which not only infringe upon the civil law but comes in conflict with the higher law of Heaven, should be reminded that the entrance into industrial pursuits alone will secure to them health, wealth, contentment and respect.

Therefore be it Resolved,

1.—That we recommend the colored people of the Pacific States and Territories, to secure farms, purchase homesteads, enter largely into quartz and other branches of mining, engage in mechanical and manufacturing occupations and eagerly embrace every method and opportunity which will insure profit, honor and independence.

2.—That our colored traders, mechanics and manufacturers, receive from us every encouragement possible.

3.—That we recommend the formation of agricultural associations, established on the principle of joint stock companies, putting the price of shares at such a rate as will make them accessible to all classes of men.

4.—That where our men have not the money wherewith to buy farms, that they be advised to unite in companies and rent lands for agricultural purposes.

5.—That we urge upon the people of this coast to seek unsettled lands and pre-empt them, as is the right of every American citizen.

6.—That a Committee of three be appointed to present to the proper authorities the expediency of the employing of from twenty to forty thousand freedmen on the great Pacific Railroad, and to petition the honorable the Legislature of California through our Representatives in Congress to procure such aid from the Federal Government as to them may seem fit, for the following reasons:

I.—To speedily complete this great National enterprise.

II.—The value and the cheapness of the labor sought.

III.—That it will effectually settle the too frequent incursions of hostile Indians.

IV.—It will greatly add to the wealth of the country, in the cultivation of adjacent lands and the development of the mineral resources of a hitherto unexplored portion of the great Pacific slope.

V.—That it will afford labor to a class of people whose sympathies, hopes and aspirations are thoroughly identified with the growth, prosperity and glory of the American Republic.

7.—That we hail with joy inexpressible, as one of the practical movements of the freedmen, their settled and persistent determination to become owners of the soil of their own fruitful South.

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| T. M. D. WARD, J. J. MOORE, J. P. DYER, J. MADDEN, BASIL CAMPBELL, AARON L. JACKSON, E. P. HILTON, MOSES L. ROGERS, EDWARD W. PARKER, | } Committee. |
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The following Preamble and Resolution was offered by J. R. Starkey:

WHEREAS, It is often asserted that there is a division among the colored inhabitants of this State, in matters appertaining to their political interests; and whereas, the harmony prevailing in this Convention, the friendly feeling existing and the unanimity of action, fully contradicts that assertion; be it therefore

Resolved—That on the return of the members of this Convention to their constituents, they exert their utmost influence to create a unity of feeling and of action among the colored people of this State.

Adopted, *nem. con.*

A communication was received from Mr. Henry Williamson of Sacramento, informing the Convention that he owned a mining ditch in Amador county, which he wished to sell. Read and laid on the table.

Benediction by the Chaplain.
Adjourned.

Third Day.—Evening Session.

Convention met at 7 o'clock, in the A. M. E. Church, Seventh street. In the absence of the President and Vice Presidents, Mr. R. H. Small was appointed President *pro tem.*

Prayer by the Chaplain. Roll called. Minutes of last meeting read and approved.

Moved, that the special order of business be deferred half an hour. Carried.

The report of The Business Committee was further discussed, and the separate resolutions adopted.

Moved, that a Publishing Committee of five members be appointed, to publish the proceedings of this Convention in pamphlet form. Carried

The Chairman appointed the following as the Publishing Committee,

P. A. Bell, E. P. Duplex,
J. J. Moore, W. H. Christopher,
E. A. Clark.

To which, at the suggestion of the Chairman of the Committee, was added the name of J. Madison Bell,

The time having expired, the special order was called up.

Rev. J. H. Hubbard, Chairman of the Committee on Public Morals, presented the following report, which was unanimously adopted :

WHEREAS, there are no features in the character of any people more ennobling and elevating, than a strict observance of the principles of Morality and Religion, and as our enemies eagerly grasp every opportunity to misrepresent our condition and malign our character ; therefore, be it

Resolved—That we recommend to our brethren a more consistent course than investing their means in gambling-houses and bar-rooms.

Resolved—That we adjure our brethren throughout the State, to adhere faithfully to the teachings of Morality and Religion, which will shed lustre around the pathway of their lives and give credit to the race.

Resolved—That we abhor and discountenance licentiousness,—that this violation of God's law, disgrace, penury, and the bane of domestic happiness, may disappear from our midst.

Resolved—That we admonish our brethren to shun the intoxicating bowl as they would the embrace of a deadly serpent.

Resolved—That the practice of gambling, the desolator of thousands of otherwise happy homes, the goal of fervent hopes and high aspirations, the precursor of early dissolution, receives our uncompromising denunciation.

J. H. HUBBARD,
J. J. MOORE, } Committee.
P. KELLINGWORTH, }

Rev. J. H. Hubbard, Chairman of the Committee on Condolence, presented the following :

Resolutions of Condolence.

WHEREAS, man's frailty is a fixed conclusion, and our iniquities, like the wind, have taken

us unawares ; and as since the assembling of our last Convention, our brethren and co-laborers, John G. Wilson and Wm. N. Bedford, have been summoned to the Bar of the Triune God ; therefore,

Resolved—We lament their loss but submit to the ruling of that Providential hand which doeth all things well.

Resolved—The down-trodden and proscribed, have lost in them, earnest sympathizers and zealous laborers.

Resolved—The State has lost in them, men whose hearts throbbed alike for the undying principles of liberty and the perpetuity of the Government

Resolved—They being dead, do speak, and history of the reverend chronicler of the grave, will proclaim in trumpet tones, to generations unborn, they, as true men, wore with impatience, the yoke of proscription.

Resolved—When in after years, the roll of California's truest sons shall be called, while the names of W. H. Newby and John Freeman, shine with resplendant brightness, those of John G. Wilson and William N. Bedford, will occupy a conspicuous place upon the list.

Resolved—We, the representatives of the colored citizens of California, tender to the friends and relatives of the deceased, our heartfelt sympathy.

J. H. HUBBARD,
P. KELLINGWORTH, } Committee.
R. H. SMALL, }

The Resolutions were adopted, after which, Mr. Hubbard delivered an eloquent eulogy.

The President having arrived, Mr. Small vacated the Chair. After the eulogy was delivered, the resolution from the Business Committee to appoint a State Executive Committee of one from each Judicial District, was taken up, when it was moved that a Committee of five members be appointed to nominate a State Executive Committee. Carried.

The President appointed

P. A. Bell, J. R. Starkey,
E. A. Clarke, Jas. Cefos,
W. H. Christopher.

The following Preamble and resolutions were presented by the Sacramento Delegation. They were read, and, on motion, ordered to be published in the minutes :

WHEREAS, We, the delegates chosen by the people of the city and county of Sacramento, to meet in Convention on the 25th day of Oct. 1865, and act in conjunction with delegates accredited from the several counties of the State of California, believe that the time has come when every man of color should aim at the ele-

vation of his race; and to do this, we must unite in advancing measures which shall have a tendency to strengthen our influence with our more favored citizens, therefore be it

Resolved—That it is with pride we cite the fact, that in those States wherein we have the right of franchise, there is not on record an instance of our having abused the privilege; that as we have stood by the side of the Union, Liberty and Justice, with the bayonet, so would we do with the ballot.

Resolved—That education being the conservator of liberty, we desire to have extended to our children greater educational facilities, in justice to us as a law abiding and tax paying people.

Resolved—That we emphatically condemn any course other than one calculated to promote harmony, union of thought and action amongst us, as suicidal to our interest as a people.

Resolved—That we would be untrue to our race, unless we pledged ourselves to try by all fair and peaceable means, to impress on the dominant race, that this country is only half saved, slavery only half abolished and the war but half ended, until all of the disabling laws which were the natural fruits of slavery are repealed, and universal suffrage exist in every State in the Union.

Benediction by the Chaplain.

Adjourned.

SATURDAY, OCTOBER 28TH.

Fourth Day.—Morning Session.

Prayer by the Chaplain. Roll called. Minutes of last meeting read and approved.

Finance Committee presented their report as follows :

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| Amount of funds collected from thirty Delegates, in accordance with Resolution—\$3 each..... | \$90 00 |
| Rent of A. M. E. Church, Seventh st..... | \$15 00 |
| Expenses, Sexton of M. E. Church. | |
| Sixth street..... | 5 00 |
| Hire of tables and chairs..... | 2 00 |
| Stationery..... | 2 00 |
| Page..... | 2 00 |
| | <hr/> |
| | \$26 00 |

Balance.....\$64 00

The Committee recommend that the balance in hand be subject to the order of the Publishing Committee.

The report was adopted.

The Nominating Committee requested leave of absence for consultation. Granted.

The report of the Business Committee was taken up. The unfinished business was referred to the Executive Committee.

The report of the Industrial Committee

was taken up. Moved, that so much of the report as refers to the Freedmen, and the action necessary to employing them on railroads, be referred to the Executive Committee. Carried.

Mr. Moore stated that Mr. J. Madden, of Santa Clara, was an experienced farmer, and he would suggest, in the absence of other business, that he be requested to address the Convention on that subject. No objection being made, Mr. Madden proceeded to address the house.

Mr. Madden said he was born in South Carolina, lived in town until a young man when he went to farming. Had never experienced any of the hardships of plantation life, but had seen the effects on others. When he obtained his freedom he went to farming, and had probably made as much progress as many who had been born free. He is satisfied that farming is the most healthy, lucrative and independent business that can be pursued; the profits are accruing while we are sleeping. Had moved from towns and cities, and went to Arkansas; could not then purchase forty acres of land; when he left he owned nearly a thousand acres. Farming gives character to any people. The colored people of Santa Clara are industrious, and mostly engaged in agricultural and mechanical pursuits.

After Mr. Madden had concluded, it was moved by R. F. Shorter, that a vote of thanks be tendered to the Executive Committee of San Francisco for their noble and successful labors in originating and bringing about this Convention. Carried, unanimously.

Mr. Shorter said that Santa Clara county was with this Convention and its actions, in financial and other matters, heart and hand. He was willing to offer his life as a sacrifice, if necessary, to obtain equal rights for his people. He had offered his household gods on the altar of freedom—he had sons and nephews in the army. He was willing to forgive our enemies—but we want our rights.

Mr. Hoyt (by permission) addressed the Convention on matters appertaining to the general interest of the country.

Mr. Killingworth, of Santa Rosa, said his constituents were willing to sustain the action of this Convention, by their means, and by greater sacrifices, if necessary. He was born a slave, as was also his wife. He is seventy-five years old. At sixty-two he paid \$3,000 for himself and wife, in Atlanta, Georgia. Lost his wife in this country, and her bones lie in the free soil of El Dorado. He is willing to make any sacrifice for his people. Never received any schooling; what little he knew he picked up. He wished the young people would profit by study. The black man, although wronged by the whites, are their best friends. He is now enjoying his best days in freedom and among his children. He is very old now, and must soon depart; he would not die, but go to sleep and wake in glory with the angels.

Rev. M. C. Briggs said this Convention had given him more gratification than any similar assemblage he had ever attended. It is the opening of the status of the colored race. Was satisfied that the deliberations and actions of this Convention would convince all of the ability of colored men to legislate and claim their rights. He was pleased with the religious reverence showed, and hoped God would remove all obstacles. On the subject of education, he was opposed to asking for an endowment; would consider that a precedent for sectional schools. Claim all your rights,—from the primary to the high school. He regreted the Convention had not met in his Church last night. It was a misunderstanding on the part of the Sexton. He expected they would have met there, and they might have used as much gas as was wanted. He also said that suffrage belongs to all men, whether foreign or to the manor born. As regards the Fenian resolution presented yesterday, it may be a matter of expediency, but he did not always feel justified in using policy. He

always stood up for justice and principle, and if justice falls, he is willing to fall with it. After some more pertinent remarks, Mr. Briggs took his seat.

Mr. Moore moved that the Fenian resolution offered yesterday be referred to the Business Committee. Carried.

Whereupon he presented the following substitute, which was adopted:

WHEREAS, The colored citizens of California sympathize with the oppressed of all nations; and every race and clime, and express our willingness to extend our aid to every effort of the oppressed to free themselves from bondage; whether it is personal servitude or political disfranchisement, we therefore resolve

1st, That the results of the late unfortunate and unsuccessful revolutions of Poland and Hungary to free these countries from the tyranny of Russia and Austria, cause regret and commiseration to every friend of human liberty.

2d, That, notwithstanding the opposition we receive from Irish immigrants in America, whose prejudices are excited against us by the misnamed Democratic Party, every effort to rid Ireland of English bondage, and establish Irish independence meets our cordial approbation.

3d, That the conduct of many of the leading men of Great Britain during our late war was hypocritical—against the true opinions of the English people, and showing that the aristocracy are governed by interest more than by principle.

Moved, by W. H. Hall, that so much of the report of the Committee on Education as refers to asking the Legislature for an endowment to the San Jose School be stricken out. Carried.

Mr. Hoyt advised the forming of joint stock companies for farming and other purposes. He had had experience in some of the Western States. In new countries joint stock companies for agricultural purposes were very successful—the individuals generally made more money than those who worked separately.

The Committee appointed to nominate a State Executive Committee, presented the following Report:

There are fifteen Judicial Districts in this State, all of which are not represented in this Convention, and we believe some have a very small population of colored persons. Your Committee have therefore made the selection according to their best judgment:

1st District—Los Angeles, San Bernardino, San Diego, San Luis Obispo, and Santa Barbara—no nomination.

2d District—Tehama, Butte, Plumas, and Lassen—JOHN C. JENKINS.

3d District—Alameda, Monterey, Santa Clara, and Santa Cruz—R. F. SHORTER.

4th District—Northern part of San Francisco—JOHN J. MOORE.

5th District—San Joaquin, Tuolumne, Mono, and Alpine—WM. W. LEE.

6th District—Sacramento and Yolo—BASIL CAMPBELL.

7th District—Marin, Mendocino, Napa, Solano, Sonoma, and Lake—ED. HATTON.

8th District—Klamath, Del Norte, and Humboldt—no nomination.

9th District—Shasta, Siskiyou, and Trinity—J. J. PINDELL.

10th District—Sutter, Yuba, Colusa, and Sierra—EDWARD P. DUPLEX.

11th District—El Dorado, Amador, and Calaveras—JAMES CEFOS.

12th District—Southern part of San Francisco, and San Mateo—R. A. HALL.

13th District—Fresno, Mariposa, Merced, Stanislaus, and Tulare—MOSES L. ROGERS.

14th District—Nevada, and Placer—D. D. CARTER.

15th District—San Francisco and Contra Costa—W. H. YATES.

The Committee recommended the following resolutions:

I.—That two additional members be appointed to represent the State at large.

II.—The Committee to complete their organization by selecting their officers and making all necessary appointments.

III.—The Committee have power to fill all vacancies.

| | |
|--------------------|----------|
| P. A. BELL, | } Comtee |
| JAS. CEFOS, | |
| J. R. STARKEY, | |
| W. H. CHRISTOPHER, | |
| E. A. CLARK, | |

The report was adopted, with the recommendations.

On motion of E. A. Clarke, P. A. Bell, of San Francisco, and W. H. Harper, of Sacramento, were appointed to represent the State at large.

Rev. J. J. Moore read an instructive essay on our moral, religious and political duties, which was referred to the Publishing Committee.

The President left his seat, and it was occupied by Wm. H. Hall, when it was moved that a vote of thanks be tendered to the Executive Committee of Sacramento for the arrangements they made for holding the Convention. Carried.

Moved, that we tender a vote of thanks to the ladies of Sacramento for their general attendance at the meetings of the Convention. Carried.

Moved, that a vote of thanks be tendered to Rev. M. C. Briggs for the gratuitous use of his Church yesterday. Carried.

Moved, that a unanimous vote of thanks be tendered to the President of this Convention, for the judicious manner in which he has presided over the deliberations of the Convention, the impartiality of his decisions, and the ability with which he has performed the arduous duties of his office. Carried, by acclamation.

Mr. Hall, on retiring from the Chair, which had been temporarily vacated by the President, said:

In tendering you, sir, the complimentary resolutions offered by the gentleman from El Dorado, (Mr. Small,) it affords me the highest gratification to perceive by their import, and the unanimity of their adoption by this Convention, a sense of appreciation and gratitude for the faithful services you have ever devoted to the elevation of your race. I am not inclined to extravagant commendation, but when I see the representatives of a people, heretofore charged with envy and distrust, indicating that the sacrifices of long tried public men are duly remembered, it fills me with the liveliest emotions of hope for the black men who are to occupy the places now filled by us. Trusting that you may be animated to press forward in the noble work of redeeming our race from unjust aspersions, I leave the example of this moment to the contemplation of those who are determined to engage in the same cause.

On taking his seat, the President made the following remarks:

Gentlemen of the Convention:

I am overpowered by this new evidence of your kindness and appreciation of my humble efforts to faithfully perform the responsible duty of the office I am about to vacate. I am reassured, by this flattering testimonial, that I have succeeded where I had feared to fail, and I retire from the distinguished position of President of the Fourth Convention held by the colored citizens of this State, with feelings of intense pride and gratification. Gratified in having my past acts of duty, to myself and my

fellow men, so kindly remembered, so richly rewarded; *proud* of the harmony, amenity and unity of purpose that has characterized this Convention; and *very proud* of the wisdom, enthusiasm and eloquence that has been manifested upon every subject of importance presented to this Convention, and I heartily congratulate our people of California (through you, gentlemen, their representatives) upon the honest and very able manner their important interests have been considered and acted upon. Permit me, however, to remind you, gentlemen, that the close of this body is but the beginning of the great and ennobling end we seek to achieve, to effect which requires us to work steadily, perseveringly. Let us, then, return to our constituents, thoroughly impress upon them the importance of immediate and continuous action; stimulate them to wisdom in council, unity in purpose; prepare them to receive and promptly act upon the views they will receive from the State Executive Committee which this Convention has created. Knowing ourselves, do not let *them* forget that *eternal vigilance* is the price of liberty. Let each one of us faithfully perform our duty without pausing, until our labors are rewarded by the bestowal of that right which, under the glorious principles of the Constitution of the United States, is the only patent of manhood issued, viz.: the right of Elective Franchise.

After the address by the President, it was moved that the thanks of this Convention be tendered to the Vice Presidents and Secretaries, for the able discharge of their duties.

Moved that the thanks of this Convention be tendered to Rev. J. J. Moore, Chairman of the Business Committee, and the members thereof, for their prompt and efficient labors in producing and arranging business.

The above motions were carried by acclamation.

The President then inquired if there was any further business before the Convention, and no response being made, he called upon the Chaplain, Father Kellingworth, to pronounce a benediction.

The Chaplain requested the audience to join in singing the "Battle Hymn of the Republic"

"Mine eyes have seen the glory of the coming of the Lord."

After which he pronounced the benediction, and the President solemnly declared the Convention adjourned *sine die*.

F. G. BARBADOES,
President.

W. H. HARPER, 1st Vice President.

BASIL CAMPBELL, 2d Vice President.

P. A. BELL, Secretary.

W. H. CHRISTOPHER, } Ass't Sec'y.
E. P. DUPLEX, }

DELEGATES:

San Francisco:

J. J. MOORE, T. M. D. WARD,
D. W. RUGGLES, R. A. HALL,
J. R. STARKEY, E. W. PARKER,
WM. H. HALL, P. ANDERSON,
WM. H. YATES, E. P. HILTON,
H. M. COLLINS, represented by proxy,
J. SMALLWOOD, represented by proxy,
J. MADISON BELL, not present.

Sacramento:

W. H. HARPER, E. A. CLARK,
L. P. HICKMAN, A. L. JACKSON,
A. D. BERGHARDT.

Santa Clara:

R. F. SHORTER, J. MADDEN.

Napa:

W. H. CHRISTOPHER.

El Dorado:

J. CEFOS, R. H. SMALL,
J. M. OLIVER.

Yuba:

E. P. DUPLEX, DR. W. J. O. BRYANT.

Mariposa:

M. L. ROGERS.

Sonoma:

P. KILLINGWORTH.

Yolo:

B. CAMPBELL.

Alameda and Contra Costa:

J. PETERSON.

Solano:

F. G. BARBADOES, proxy for N. E. Speights.

Sierra:

J. P. DYER, proxy for I. P. Gibbs.

Santa Cruz:

P. A. BELL, proxy for G. W. Smith.

ADDRESS

—BY THE—

STATE CONVENTION OF COLORED CITIZENS

—TO THE—

PEOPLE OF CALIFORNIA.

FELLOW-CITIZENS:

The Convention of colored citizens, assembled in Sacramento on the 25th, 26th, 27th and 28th of October, present their claim for equal rights before the law, and proceed to show on what principles they predicate their claim, and why those rights should be awarded them in common with all other citizens.

First—As freemen by creation, by the laws of California, and by the laws of the Republic. The Declaration of Independence, the great charter or bill of rights of our government, on which is based our National Constitution and all the laws of our country, says "all men are created equal," and, as a sequence, all are entitled to equal privileges or "inalienable rights" with which they "are endowed by their Creator," and "among those rights" (others being connected therewith) "are life, liberty and the pursuit of happiness." The other rights which are indissolubly connected with the foregoing, and without which those expressed would become a nullity, are the protection of the laws, and an equal voice in framing those laws and choosing the administrators thereof. The Constitution and laws of California make all men free, slavery or involuntary servitude is forbidden within her borders, hence all whose citizenship can be established are fully entitled to equal rights before the law. Slavery existed for three quarters of a century and was sanctioned by the Government; it was sustained by compromises, not by the Constitution, until the Government declared that slavery and Republican principles were incompatible with each other and could not co-exist, and must be separated. Then, to effect that object, and to establish a Republic based on Freedom, the Emancipation Proclamation was issued, and the Constitutional Amendments, abolishing slavery for ever from the land, were introduced. These positions and facts are known, and need no argument from us to establish them.

Second—We claim the privileges of citizenship by right of birth, as natives of the soil, against whom no attainder can exist. The former slavery of a portion of our race works no corruption of blood in them; they are now freemen, and consequently citizens, and as such

are subject to all the liabilities and entitled to all the rights, privileges and immunities of citizens. Our citizenship being established, we maintain that there are other and still stronger reasons why the rights which are in equity guaranteed to all citizens should not be withheld from us. We are loyal to the Government, and yield willing obedience to the powers that be. No taint of treason lurks within the bosoms of our race; no charge of disloyalty has ever been brought against one having negro blood in his veins. Our love of country is proverbial; our devotion to the land of our birth, its customs, habits and institutions, and our reverence for the laws which govern us, are unquestioned. We have given evidence of our fealty to the Union by the ardor with which we flew to arms at our country's call, and by the sacrifice of thousands of lives to preserve intact the indissolubility of the Union, and to vindicate Republican principles before the world, as exemplified in this Government. Notwithstanding the ignominy with which we have been treated by the American people, we have ever maintained a Christian spirit of forgiveness, and a willingness to sustain our reputation as peace-loving, law-abiding citizens, and a desire to perpetuate the name and glory of our common country.

Third—We assert our right to the immunities of citizenship by our intelligence and moral worth, our reputation for truthfulness, the religious and devotional characteristics of our race, and our ability to understand and appreciate the principles of the Government under which we live. We assert, and defy contradiction, and the criminal, sanitary and eleemosynary statistics of the country will sustain our assertion, that of the colored population throughout the United States, there are fewer criminals and paupers than among any other class of the community. We are a self-sustaining community, and are no burden on the body politic, while we contribute to the general expenses of Federal and State Governments.

Fourth—We claim the Elective Franchise on the universally conceded ground that representation and taxation should accompany each other. By representation is not meant the mere fact of being included in the apportionment, but by having a voice and vote in choos-

ing representatives. We are taxed in common with all other citizens. We pay cheerfully not only the State and Municipal tax on property and for business purposes, but we also pay War tax, Poll tax, and all others which are assessed. We do not demur at that. We live under a wise, liberal and beneficent Government, which extends its parental protection, like the sunlight of heaven, on all who come within its sphere. We are willing to aid in sustaining the Government by means, as our brethren have by arms, we only claim those rights which should be awarded to all citizens of the Republic. We also claim additional educational facilities for our children. By the present unjust and partial laws many of our children are growing up

in ignorance, deprived of all advantages of education. We require, for the above reasons, full and equal school privileges. We are not content with primary schools alone, we want the higher advantages of education to produce in the rising generation the highest development of mind. These advantages are open to others, and, in a free country, the blessings of education should be diffused on all, irrespective of rank or station.

FELLOW-CITIZENS—We present to you our views on this important subject, and we refer you to the proceedings of our Convention for a fuller explanation of our action on these important subjects.

ADDRESS

—BY THE—

STATE CONVENTION

—TO THE—

COLORED CITIZENS OF CALIFORNIA.

MEN AND BRETHREN :

For the fourth time the colored citizens of this State assembled in Convention, by their representatives, and at the session just closed a degree of harmony and good feeling prevailed, unexampled in deliberative bodies. We met to devise ways and means to obtain the highest privilege of citizenship, the Elective Franchise ; to increase the educational facilities of our children ; to promote temperance, morality and frugality : to encourage progress in Agriculture, Mechanics, and all the Industrial pursuits, and to advance the cause of TRUTH, VIRTUE and Christian piety.

How well we have succeeded in the work for which we were appointed, we leave you to judge. We here lay before you the result of our labors, and are willing to abide the test of your judgment.

We call your attention to the various subjects which were under the deliberation of the Convention.

First—And most important, is the position we took as regards Truth, Virtue and Christian piety. Although the discussion of these subjects was not the primary cause for which the Convention was called, yet they overbalance all other subjects, for without them no good can be accomplished. We took high grounds on these subjects, and we earnestly invite your attention

to the report of Committee on Public Morals, and the resolutions appertaining thereto introduced by the Business Committee, and we feel confident that your mature judgment will indorse the action of your representatives.

Second—The Elective Franchise demanded a large portion of our deliberations. This is an important subject, as relating to our interests in this country and our rights as men and citizens. With prayerful consideration we entered upon our duty, and our minds were sorely exercised in view of the great responsibility which rested on us. We commend to your notice the action of the Convention, the able report of the Committee on that subject, the convincing argument produced, and the powerful speeches made on the occasion.

Third—The education of our offspring was not neglected. You are doubtless well aware of the disabilities we labor under as regards the educational progress of the rising generation. In consequence of the unjust provisions of the law, in many localities our children are growing up in ignorance. We call upon you to use your influence, in your respective localities, to the end that our children may receive the advantages of the Public Schools. We are taxed for the general School Fund, but in many places our children are deprived of its benefits. In reference to the San Jose School, we believe,

by united efforts on our part and a small individual-contribution, that it can be made an Institute where the higher branches can be taught and principles of virtue and religion instilled into the youthful mind. The principal, Professor Peter W. Cassey, is well known in this State, and by scholarly acquirements and Christian character he is eminently fitted for his position. That, however, should not cause us to lessen our efforts to obtain a repeal of the iniquitous school law, so that we may have equal privilege with others.

Fourth—We next call your attention to the report of the Committee on Industrial pursuits. The subjects introduced, and the action taken thereon, merit and should receive careful consideration. To gain an eminence in the new field of political equality, toward which our journey tends, we must prove ourselves equal in art, industry and labor, as well as in knowledge and piety, to all others. We must not be satisfied with mediocrity, we must endeavor to excel.

Fifth—On the subject of Statistics we are not as full as we would wish. In consequence of the limited attendance at the Convention, the

Committee on that subject had not sufficient material on which to work. Their report, however, is alike instructive and interesting, and although limited, it is reliable.

Sixth—We have organized a State Executive Committee, consisting of men who are well known throughout the State for their ability, untiring industry, and devotion to our cause and the welfare of mankind.

Seventh—We have pledged your fealty to the Government as order loving, law-abiding citizens. We are responsible for your loyalty, and feel proud of our responsibility.

In Conclusion—Brethren, we urge you to continue the good work we have so auspiciously commenced. Form committees in your respective Counties, sustain and encourage them by your irreproachable conduct, by your industry and observance of the Christian virtues. Encourage also our State Executive Committee. Give them to know that you place confidence in them and they will repose the same in you. And now, Brethren, farewell. May God keep and preserve you in the paths of usefulness.

Organization of the State Executive Committee.

The members elect of the S. E. C. who were in Sacramento, held a preliminary meeting on Saturday, the 29th October. Present, Basil Campbell, Jas. Cefos, Richard A. Hall, Moses L. Rogers, John J. Moore, Wm. H. Harper, Philip A. Bell, Edward P. Duplex, and Richard F. Shorter.

J. J. Moore was appointed temporary Chairman, and E. P. Duplex, Secretary.

After some consultation it was agreed that the permanent officers of the Executive Committee be a President, Recording and Corresponding Secretaries, and a Treasurer.

Moved, by P. A. Bell, that Wm. H. Yates be elected President. Carried.

Moved, by R. A. Hall, that J. J. Moore be elected Recording Secretary. Carried.

Moved, by E. P. Duplex, that R. A. Hall be elected Corresponding Secretary. Carried.

Moved, by J. J. Moore, that R. F. Shorter be elected Treasurer. Carried.

Moved that the first regular meeting of the Committee be held in this city on Monday morning next, at 9 o'clock. Carried.

Adjourned.

E. P. DUPLEX,
Temporary Secretary.

Meeting of the State Executive Committee.

SACRAMENTO, October 30th.

Present, Wm. H. Yates, President, in the chair, Messrs. J. J. Moore, R. A. Hall, Basil Campbell, M. L. Rogers, Wm. H. Harper, E. P. Duplex, J. Cefos, P. A. Bell.

Moved, that the officers of this Committee form an acting board for the transaction of general business. Carried.

Moved, that the election for County Executive Committees take place before the first of January, 1866. Carried.

It was stated that there were two vacancies in the Committee, and it was moved that I. P. Gibbs, of Sierra, and Wm. Bird, of Amador, be elected members of this Committee. Carried.

Moved, that the sum of twenty-five dollars be appropriated to P. A. Bell, Secretary of the Convention, for compiling the minutes. Carried.

J. J. MOORE, Secretary.

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